



# TOWNSHIP OF WILMOT

## **Council Meeting Agenda**

**Monday, November 2, 2020**

**Closed Council Meeting**

**5:30 P.M.**

**Regular Council Meeting**

**7:00 P.M.**

This meeting is open to the public and is available through an online platform. Please subscribe to the [Township of Wilmot You Tube Channel](#) to watch the live stream or view after the meeting.

Delegations must register with the [Information and Legislative Services Department](#). The only matters being discussed at this meeting will be those on the Agenda.

### **1. MOTION TO CONVENE INTO CLOSED SESSION**

#### **Recommendation**

THAT a Closed Meeting of Council be held on Monday, November 2, 2020 at 5:30 p.m. in accordance with Section 239(2) of the Municipal Act, 2001, for the purposes of:

- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

### **2. MOTION TO RECONVENE IN OPEN SESSION**

#### **Recommendation**

THAT Council reconvenes in Open Session at 7:00 p.m.

- 3. **MOMENT OF SILENCE**
- 4. **LAND ACKNOWLEDGEMENT**
- 5. **ADDITIONS TO THE AGENDA**
- 6. **DISCLOSURE OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT**
- 7. **MINUTES OF PREVIOUS MEETINGS**

**7.1 Council Meeting Minutes October 19, 2020**

**RECOMMENDATION**

THAT the minutes of the following meeting be adopted as presented:

Council Meeting October 19, 2020.

**8. PUBLIC MEETINGS**

**8.1 REPORT NO. DS 2020-024**

**Zone Change Application 08/20**

**Damian Jaworski**

**Block 99, Plan 58M-414 and Lot 12, Plan 1366**

**Corner of Astor Cres. and Forrest Ave. E., New Hamburg**

**RECOMMENDATION**

THAT Report DS 2020-024 be received for information.

**Registered Delegations**

Lindsay Lesyk  
Ian and Natasha Burt

**8.2 Nachurs Alpine Municipal Drain Court of Revision**

**8.2.1 Motion to Convene Into Court Of Revision for the Nachurs Alpine Municipal Drain**

**RECOMMENDATION**

That a Court of Revision now be called for the purposes of the Nachurs Alpine Municipal Drain.

**8.2.2 Motion to Reconvene Into Open Session of Council**

**RECOMMENDATION**

THAT Council reconvene into open session.

**9. PRESENTATIONS/DELEGATIONS**

**10. CONSENT AGENDA**

**10.1 REPORT NO. PW 2020-18**

**Q3 Department Activity Report  
July – September 2020**

**10.2 REPORT NO. FRS 2020-14**

**Parks, Facilities & Recreation Services Third Quarter Activity  
Reports**

**RECOMMENDATION**

THAT Report Nos. PW 2020-18 and FRS 2020-14 be approved.

**11. REPORTS**

**11.1 PARKS, FACILITIES AND RECREATION SERVICES**

**11.1.1 REPORT NO. 2020-015**

**Township of Wilmot Municipal Alcohol Policy**

**RECOMMENDATION**

THAT the Township of Wilmot Municipal Alcohol Policy (MAP) be repealed and that Governance Policy GP-004 (Municipal Alcohol Policy) be approved effective January 1, 2021.

## **11.2 INFORMATION AND LEGISLATIVE SERVICES**

### **11.2.1 REPORT NO. ILS 2020-27**

#### **Supplementary Agreement with Createscape Waterloo Region**

### **RECOMMENDATION**

THAT the Mayor and Clerk be directed to execute the Supplementary Agreement with Createscape Waterloo Region.

## **12. CORRESPONDENCE**

### **12.1 Aggregate Property Tax – County of Wellington**

WHEREAS previous assessment methodologies for aggregate resource properties valued areas that were used for aggregate resources or gravel pits at industrial land rates on a per acre basis of the total site and such properties were formally classified and taxed as industrial lands; and

WHEREAS Council of the Corporation of the Township of Wilmot supports a fair and equitable assessment system for all aggregate resource properties; and

WHEREAS the Municipal Property Assessment Corporation (MPAC) determined, with the participation only of the Ontario Stone, Sand and Gravel Association, revised criteria for assessing aggregate resource properties; and

WHEREAS Council has concerns that the revised criteria does not fairly assess the current value of the aggregate resource properties;

NOW THEREFORE BE IT RESOLVED:

THAT Council of the Corporation of the Township of Wilmot does not consider the revised criteria for assessment of aggregate resource properties as a fair method of valuation for these properties; and

AND FURTHER THAT Council believes there is a need to review the current assessment scheme for aggregate resource properties to address the inequity of property values; and

AND FURTHER THAT Council hereby calls upon the Province to work with the Municipal Property Assessment Corporation to address the assessment issue so that aggregate resource properties are assessed for their industrial value; and

AND FURTHER THAT Council direct the Clerk to provide a copy of this motion to the Ministers of Finance; Municipal Affairs and Housing; and Natural Resources and Forestry; and to AMO, ROMA, and local MPP(s).

**13. BY-LAWS**

- 13.1 By-law No. 2020-37 Authorize the Execution of a Supplemental Agreement with Createscape Waterloo Region**

**RECOMMENDATION**

THAT By-law No. 2020-37 be introduced, read a first, second and third time and finally passed in Open Council.

**14. NOTICE OF MOTIONS**

**15. ANNOUNCEMENTS**

**16. BUSINESS ARISING FROM CLOSED SESSION**

**17. CONFIRMATORY BY-LAW**

- 17.1 By-law No. 2020-41**

**RECOMMENDATION**

THAT By-law No. 2020-41 to Confirm the Proceedings of Council at its Meeting held on November 2, 2020 be introduced, read a first, second, and third time and finally passed in Open Council.

**18. ADJOURNMENT**

**RECOMMENDATION**

THAT we do now adjourn to meet again at the call of the Mayor.



# TOWNSHIP OF WILMOT

## **Council Meeting Minutes** **Monday, October 19, 2020** **Council Meeting** **Electronic Online Participation** **7:00 P.M.**

Members Present: Mayor L. Armstrong, Councillors A. Hallman, C. Gordijk, B. Fisher, J. Gerber and J. Pfenning

Staff Present: Chief Administrative Officer G. Whittington, Director of Information and Legislative Services D. Mittelholtz, Director of Public Works J. Molenhuis, Director of Parks, Facilities and Recreation S. Jackson, Director of Development Services H. O’Krafka, Director of Corporate Services / Treasurer P. Kelly, Fire Chief R. Leeson, Director / Curator Castle Kilbride T. Loch, Manager of Municipal Law Enforcement E. Merritt, Manger of Accounting / Deputy Treasurer A. Romany, Manager of Customer Service and Community Development M. Jones

- 1. MOTION TO CONVENE INTO CLOSED SESSION (IF NECESSARY)**
- 2. MOTION TO RECONVENE IN OPEN SESSION (IF NECESSARY)**
- 3. MOMENT OF SILENCE**
- 4. LAND ACKNOWLEDGEMENT**
  - 4.1 Councillor C. Gordijk read the Land Acknowledgement**
- 5. ADDITIONS TO THE AGENDA**
  - 5.1 REPORTS – Item 11.3.2 Report No. PW 2020-17, Extension of Contract – 2020/2021 Winter Maintenance**

**RESOLUTION No. 2020-161**

**Moved by: Councillor B. Fisher**

**Seconded by: Councillor J. Pfenning**

THAT Item 11.3.2 be added to the agenda under REPORTS as Report No. PW 2020-17, Extension of Contract – 2020/2021 Winter Maintenance.

CARRIED.

**6. DISCLOSURE OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT**

None disclosed.

**7. MINUTES OF PREVIOUS MEETINGS**

**7.1 Council Meeting Minutes October 5, 2020**

**Resolution No. 2020-162**

**Moved by: Councillor J. Pfenning**

**Seconded by: Councillor C. Gordijk**

THAT the minutes of the following meeting be adopted as presented:

Council Meeting October 5, 2020.

CARRIED.

The Director of Information and Legislative Services / Municipal Clerk confirmed that the change to the way minutes were written was to create meeting minutes that capture the decisions of Council, how the decisions were made and to provide a balance between minutes that are verbatim versus decisions only.

**8. PUBLIC MEETINGS**

**9. PRESENTATIONS/DELEGATIONS**

**9.1 Indoor Arena Ice Usage and Needs Update Report**

**Anand Desai, Associate Planner, Monteith Brown Planning Consultants**

The presentation provided by Anand Desai, Associate Planner, Monteith Brown is attached as Appendix A.

In response to Council, Mr. Desai confirmed that cost efficiencies can be recognized with multiple ice pads operating in the same facility, provided the demand is there.

In response to questions from Council concerning funding and potential cost saving measures, the Director of Corporate Services advised that the funding models from senior levels of government are intended for outdoor recreation facilities.

Mr. Desai advised that their research has indicated Wilmot based organizations prefer to use Wilmot facilities as opposed to collaborating with neighbouring hockey associations and noted that the demands can change quickly. The Director of Parks, Recreation and Facility Services noted that hockey associations are not run by the municipality and further research would be required.

Council expressed their interest and awareness in ensuring inclusivity for ice sports. Mr. Desai noted that immigration trends are showing an interest in the Canadian culture of ice sports. Mr. Desai also noted that inclusion of girls' hockey has challenges with ice time and the ice time allocation policy being developed should assist in addressing that issue. The Director of Parks, Recreation and Facility Services advised that once an organization has prime ice time it can be difficult for them to surrender that for newer groups.

Council asked for clarification on the proposed recommendation and if it is proposing a new arena being built for the 2021-2022 season and The Director of Parks, Recreation and Facility Services clarified that the study could identify a new arena would be utilized for the 2021-2022 season and identifies the immediate need.

Council asked if there is a possible option of utilizing current facilities and Mr. Desai advised that if that is the direction from Council it can be investigated. The Director of Parks, Recreation and Facility Services noted that funding options would be a factor and the development of a Terms of Reference would identify such.

### **9.1.1 REPORT NO. PFRS 2020-13**

#### **Indoor Arena Ice Usage and Needs Analysis Update**

#### **Resolution No. 2020-163**

**Moved by: Councillor J. Pfenning      Seconded by: Councillor J. Gerber**

THAT the recommendations in the Indoor Arena Ice Usage and Needs Analysis Update prepared by Monteith Brown Planning Consultants Ltd. be received and;

THAT staff proceed with Recommendation #2 'to undertake further study to determine strategies for delivering a third ice surface' and;

THAT funding be included into the 2021 budget as per the existing 10-year Capital Forecast at an estimated cost of \$55,000; and,

THAT the existing contract with Monteith Brown Planning Consultants Inc. be extended to include strategies for delivering a Third Ice Surface report.

CARRIED.

**9.2 rare Charitable Research Reserve**

**Land Securement Strategy**

**Stephanie Sobek-Swant, Tom Woodcock and Robert Orland**

rare Charitable Research Reserve provided a presentation, it is attached as Appendix B.

Council asked if a collaboration with Indigenous Groups have been considered and Ms. Sobek-Swant advised that program is already in place to ensure the inclusion.

**9.3 Reep Green Solutions**

**Impact Report 2020**

**Mary Jane Patterson, Executive Director**

Reep Green Solutions provided a presentation, it is attached as Appendix C.

Council asked if there has been outreach within the Township for partnership opportunities to encourage residents to develop alternative ground cover options. Ms. Patterson advised there are opportunities for collaboration should the Township desire.

**10. CONSENT AGENDA**

**10.1 REPORT NO. FD 2020-04**

**Third Quarter Activity Report**

**10.2 REPORT NO. ILS 2020-27**

**Lottery License Request**

**Optimist Club of New Hamburg  
Moparfest Car Raffle**

**10.3 REPORT NO. CK 2020-004**

**Quarterly Activity Report – July, August & September 2020**

**10.4 REPORT NO. DS 2020-023**

**3rd Quarter 2020 Building Statistics Summary**

**10.5 REPORT NO. ILS 2020-30**

**Appointment of Drainage Engineer**

**Mackie Drain**

**Part 10, Plan 532, New Hamburg**

**Township of Wilmot**

**10.6 REPORT NO. ILS 2020-29**

**Quarterly Activity Report**

**July 1 to September 30, 2020**

**Resolution No. 2020-164**

**Moved by: Councillor A. Hallman**

**Seconded by: Councillor C. Gordijk**

THAT Report Nos. FD 2020-04, ILS 2020-27, CK 2020-004, DS 2020-023, ILS 2020-30, and ILS 2020-29 be approved.

CARRIED.

**11. REPORTS**

**11.1 INFORMATION AND LEGISLATIVE SERVICES**

**11.1.1 REPORT NO. ILS 2020-31**

**Exotic Animal By-law Amendments**

**Resolution No. 2020-165****Moved by: Councillor C. Gordijk****Seconded by: Councillor A. Hallman**

THAT By-law 2020-39 be adopted in respect to the raising of laying hens within the settlement areas of the Township of Wilmot.

CARRIED.

The Manager of Municipal Law Enforcement outlined the report.

Council asked if fines should be included in the By-law and the Director of Information and Legislative Services advised that set fines are approved at the Provincial level.

The Manager of Municipal Law Enforcement confirmed for Council that the By-law is specific to coops in residential areas and not agricultural operations.

Council asked how staff determined the \$100 fee and the Manager of Municipal Law Enforcement advised that the fee was decided as a one time fee to cover staff costs of inspection and assist in potential additional enforcement.

Council asked for clarification on the age requirement for the hens and the Manager of Municipal Law Enforcement advised that age allows for proper identification of a hen and not a rooster as well as health clearances.

**11.2 CORPORATE SERVICES****11.2.1 REPORT NO. COR 2020-035****Statement of Operations as of September 30, 2020 (un-audited)****Resolution No. 2020-166****Moved by: Councillor B. Fisher****Seconded by: Councillor J. Gerber**

THAT report COR 2020-035, Statement of Operations (un-audited) as of September 30, 2020, as prepared by the Manager of Finance / Deputy Treasurer, be received for information purposes.

CARRIED.

The Manager of Accounting / Deputy Treasurer outlined the report.

Council asked the status of the Township Workprogram and the CAO advised that the initial intent was to combine the Workprogram and the Strategic Plan; however, due to the 2019 Novel Coronavirus, the timeline for both items was delayed.

**11.2.2 REPORT NO. COR 2020-036**

**Capital Program Review as of September 30, 2020 (un-audited)**

**Resolution No. 2020-167**

**Moved by: Councillor C. Gordijk      Seconded by: Councillor J. Pfenning**

THAT Report FIN 2020-036, Capital Program Review as of September 30, 2020 (unaudited), as prepared by the Manager of Finance / Deputy Treasurer, be received for information purposes.

CARRIED.

The Manager of Accounting / Deputy Treasurer outlined the report.

**11.2.3 REPORT COR 2020-037**

**Financial Impact Analysis (COVID-19) Update III**

**Resolution No. 2020-168**

**Moved by: Councillor C. Gordijk      Seconded by: Councillor J. Pfenning**

THAT Report COR 2020-37, outlining the projected financial impact resulting from the COVID-19 pandemic be received, for information purposes; and further

THAT the Township of Wilmot continue to advocate and pursue funding opportunities from senior government sources to offset the negative financial impacts of the COVID-19 pandemic.

CARRIED.

The Director of Corporate Services outlined the report.

**11.3 PUBLIC WORKS AND ENGINEERING**

**11.3.1 REPORT NO. 2020-16**

**Award of Contract – 4x4 Crew Cab Pickup Truck**

**Resolution No. 2020-169**

**Moved by: Councillor B. Fisher**

**Seconded by: Councillor A. Hallman**

THAT RFP 2020-20 be awarded to Barry Cullen Chevrolet Cadillac Ltd. to supply and deliver one (1) 2021 – Silverado 2500 4x4 Crew Cab Pickup Truck as per their proposal dated September 22, 2020, in the amount of \$45,496.41 plus HST.

CARRIED.

The Director of Public Works and Engineering outlined the report.

**11.3.2 REPORT NO. 2020-17**

**Extension of Contract – 2020/2021 Winter Maintenance**

**Resolution No. 2020-170**

**Moved by: Councillor C. Gordijk**

**Seconded by: Councillor A. Hallman**

THAT the extension of the existing contract be approved for snow clearing services with Dundee Nursery and Landscaping, in the amount of \$126,140.78, plus HST.

CARRIED.

The Director of Public Works and Engineering outlined the report.

**12. CORRESPONDENCE**

**12.1 Ontario Ombudsman Annual Report**

**12.2 Letter from John Jordan**

**Resolution No. 2020-171**

**Moved by: Councillor A. Hallman**

**Seconded by: Councillor C. Gordijk**

THAT Items 12.1 and 12.2 be received for information.

CARRIED.

### **13. BY-LAWS**

#### **13.1 By-law No. 2020-38 - Fees and Charges By-law Amendment**

#### **13.2 By-law No. 2020-39 - Amendments to the Exotic Pet By-law to include Laying Hens in Settlement Areas**

#### **Resolution No. 2020-172**

**Moved by: Councillor B. Fisher**

**Seconded by: Councillor J. Pfenning**

THAT By-laws Nos. 2020-38 and 2020-39 be read a first, second, and third time and finally passed in Open Council.

CARRIED.

### **14. NOTICE OF MOTIONS**

### **15. ANNOUNCEMENTS**

- 15.1** Mayor L. Armstrong advised that on October 22, 2020 at 6:00 pm the four Township's in Waterloo Region will be having an informational meeting to have KPMG present their Interim Report on the findings of the Joint Services Review. This meeting will be hosted by Wilmot over You Tube.

#### **Resolution No. 2020-173**

**Moved by: Councillor A. Hallman**

**Seconded by: Councillor J. Pfenning**

THAT the Council Meeting Schedule be amended to include October 22, 2020 6:00 pm for a Waterloo Townships' All Council Meeting, to be held electronically.

CARRIED.

- 15.2** Councillor A. Hallman thanked the community Optimist Clubs for offering alternative activities for area children for Halloween.

- 15.3** Councillor A. Hallman noted that Small Business Week starts tomorrow and encouraged residents to support local business.

- 15.4** Councillor A. Hallman thanked Mayor L. Armstrong for acknowledging Breast Cancer Awareness and also thanked Councillor C. Gordijk for cancer awareness and fundraising through the Wilmot Terry Fox initiatives.
- 15.5** Councillor J. Pfenning challenged people to participate in the Zero Waste Month challenge.
- 15.6** Councillor J. Pfenning acknowledged the implementation of the Township Facebook page.
- 15.7** Councillor J. Pfenning thanked the Schout Family for the generosity for trail development in the community.
- 15.8** Councillor J. Pfenning advised that the Halloween celebration hosted by the Wilmot Family Resource Centre is on Saturday October 31.

**16. BUSINESS ARISING FROM CLOSED SESSION**

**17. CONFIRMATORY BY-LAW**

**17.1 By-law No. 2020-40**

**Resolution No. 2020-174**

**Moved by: Councillor C. Gordijk      Seconded by: Councillor J. Pfenning**

THAT By-law No. 2020-40 to Confirm the Proceedings of Council at its Meeting held on October 19, 2020 be introduced, read a first, second, and third time and finally passed in Open Council.

CARRIED.

**18. ADJOURNMENT (9:05 PM)**

**Resolution No. 2020-175**

**Moved by: Councillor J. Gerber Seconded by: Councillor B. Fisher**

THAT we do now adjourn to meet again at the call of the Mayor.

CARRIED.

# APPENDIX A

## Indoor Arena Ice Usage & Needs Analysis

Presentation to Township  
of Wilmot Council

October 19, 2020



# PFRS Master Plan Recommendation #12

*Re-evaluate the need for a third ice pad in 2020 ... [and] monitor participation and utilization trends during this time to ensure that the demand for ice is sustained during this period...If a third ice pad is determined to be required, undertake a site selection process, which should include the following options:*

- a) re-opening the New Hamburg Community Centre for ice*
- b) expansion of the Wilmot Recreation Complex*
- c) any other site(s) deemed appropriate for consideration*



TOWNSHIP  
OF WILMOT

Township of Wilmot January 2017

PARKS, FACILITIES, AND RECREATION SERVICES  
master plan



## Purpose of the Analysis

To assess the timing of future ice pad provision, updating the arena component of Wilmot's 2017 Parks, Facilities & Recreation Services Master Plan and the 2013 Ice Usage & Needs Analysis.

The Township will use the 2020 Ice Usage & Needs Analysis to develop an implementation strategy for future ice surfaces.



# Project Objectives

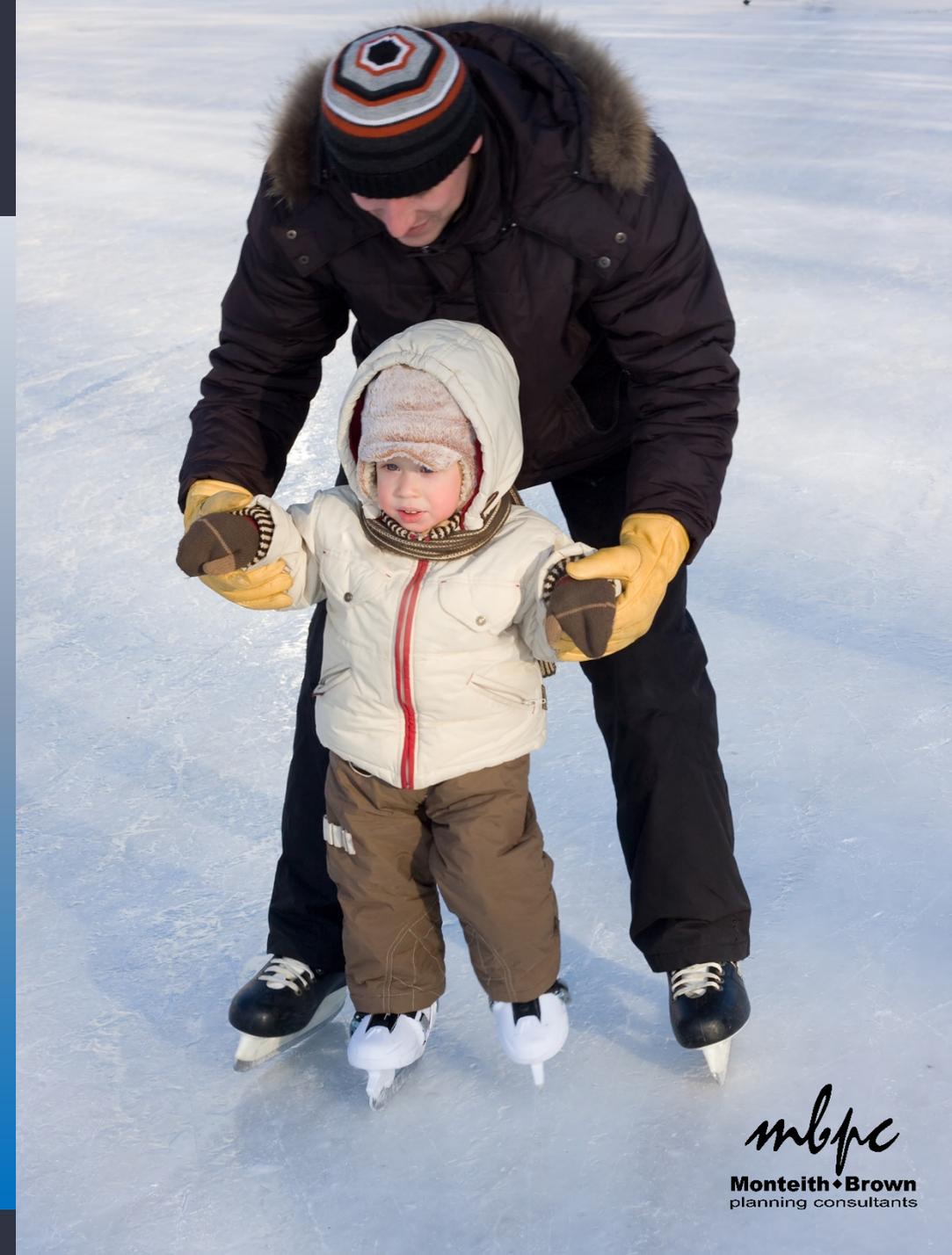
- Assess trends in arena demand
- Consider local ice sport participation and current demographics
- Evaluate changes in use of Wilmot ice pads since the Master Plan
- Gather input from major local ice sport organizations regarding current and future demand
- Project future ice surface demand

*Note: location, design, cost, and form of management for additional ice pads will be assessed through future work.*



# Study Timeline

<b>June 2020</b>	Project Initiated Demographics & Trends Research Arena Stakeholder Consultations
<b>July</b>	Arena Market Conditions Review Ice Pad Needs Assessments
<b>August</b>	Draft Ice Usage & Needs Analysis Review by Township Staff
<b>September</b>	Final Ice Usage & Needs Analysis
<b>October</b>	Presentation to Council



## Arena Stakeholders Contributing Input

- New Hamburg Hockey Association
- Wilmot Girl's Hockey Association
- New Hamburg Skating Club
- New Hamburg Firebirds
- 15 Adult Teams / Pick-Up Leagues



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## Themes From Discussions

- Minor hockey (girls and boys) rents 15 hours per week outside of Wilmot because of local capacity constraints
- Youth hockey organizations estimated that they could book between 37 and 56 additional hours per week of prime time ice in Wilmot if it was available
- A number of adult leagues cannot grow within their allocated ice time
- Certain concerns over impact of COVID-19 (noting consultations were held in June, near the start of the pandemic)

# Arena Market Conditions

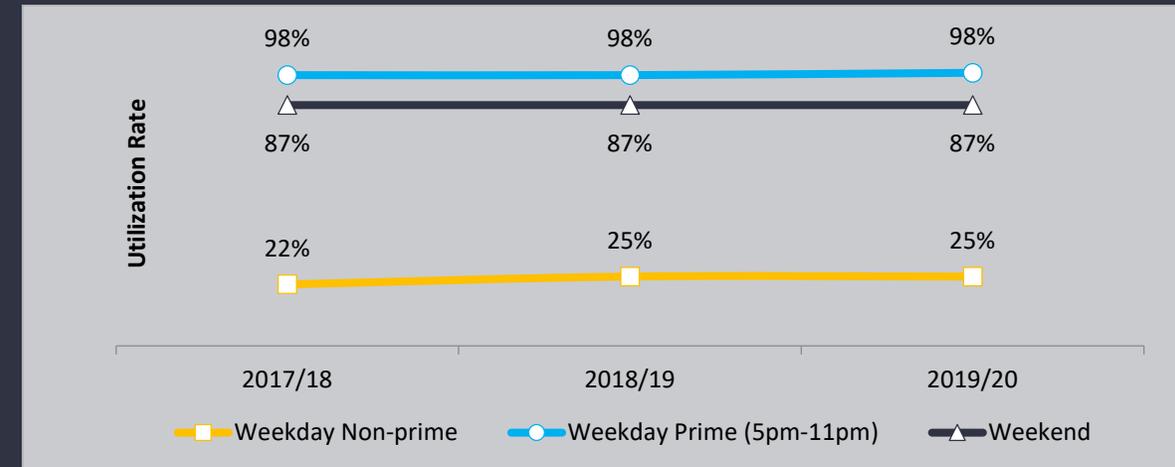
The WRC's prime time (weekday and weekend) utilization rate of 92% means it is operating near full capacity. There are few opportunities to accommodate more usage during prime time.

Wilmot's population of 21,850 is projected to reach 28,500 by 2031, an average annual rate of growth that would be nearly double that recorded between the 2011 and 2016 Census periods.

Children and teens account for the majority of prime time usage in most arena systems. By 2031, the 5 to 19 age group is forecasted to increase by 43% over 2016 levels.

The number of Wilmot youth registered in ice sports has increased by 30% over the past decade.

## WRC Arena Utilization Rate for the Past 3 Winter Seasons



## Registration in Organized Ice Activities for the Past 3 Winter Seasons

	2017/18	2018/19	2019/20
<b>Youth Registration</b>			
New Hamburg Hockey Association	560	600	590
Wilmot Girls Hockey Association	242	252	255
New Hamburg Skating Club	235	270	275
New Hamburg Junior C Firebirds	23	23	23
<b>Subtotal – Youth</b>	<b>1,060</b>	<b>1,145</b>	<b>1,143</b>
<b>Other/Adult Registration</b>			
Wilmot Girls Hockey Association (Senior B)	18*	18*	18
New Hamburg Hockey Association (U21)	25*	25*	25
Adult Leagues / Teams (estimated)	<i>no data</i>	<i>no data</i>	381**
<b>Subtotal – Other/Adults</b>	<i>no data</i>	<i>no data</i>	<b>424</b>
<b>TOTAL</b>	<b>-</b>	<b>-</b>	<b>1,567</b>

# Future Arena Market Potential

Overall registration in local youth and adult ice organizations is anticipated to grow from 1,567 to 2,085 (a 33% increase) by 2031.

- The number of youth ice sport participants is forecasted to grow by 32% (approx. 400 registrants).
- The number of adult participants is forecasted to grow by 34% (approx. 100 registrants).

This assumes that the Region's population forecasts are attained (including by age group), that the participation rate in ice sports does not change, and groups can accommodate future growth through available ice and programming.



# There is Demand for 3 Ice Pads in the Short-term

Continuing to target 1 ice pad per 450 registered youth participants (ages 5 to 19), consistent with Wilmot's 2017 Parks, Facilities & Recreation Master Plan, results in a need to provide one additional ice pad as early as the 2021/22 season.

The projected arena deficit generally equates to 30 to 40 hours of pent-up demand, consistent with the request from Wilmot's major arena users.

Based on current projections, the need for a fourth ice pad is projected to emerge around or shortly after the year 2031.



# 10-Year Projection of Ice Pad Needs

The Township has reached the demand threshold of 2.5 ice pads at which the 2013 arena analysis and 2017 PFRS Master Plan recommended a third ice pad.

## Projection of Ice Pad Needs, Township of Wilmot (2019/20 to 2031)

	2019/20	2026	2031
Forecasted Youth Registration	1,143	1,400	1,550
Number of Ice Pads Required (@ 1 ice pad per 450 youth registrants)	2.5	3.1	3.4
<b>Additional Ice Pads Required</b>	<b>0.5</b>	<b>1.1</b>	<b>1.4</b>



## Next Steps: Examine Location and Cost Factors for the Third Ice Pad

The Township would need to undertake further study to determine where the third ice surface will be located. Options could include:

1. rehabilitation of the New Hamburg Community Centre as a winter ice venue;
2. expansion to the Wilmot Recreation Complex; or
3. construction of a new arena at a different site.

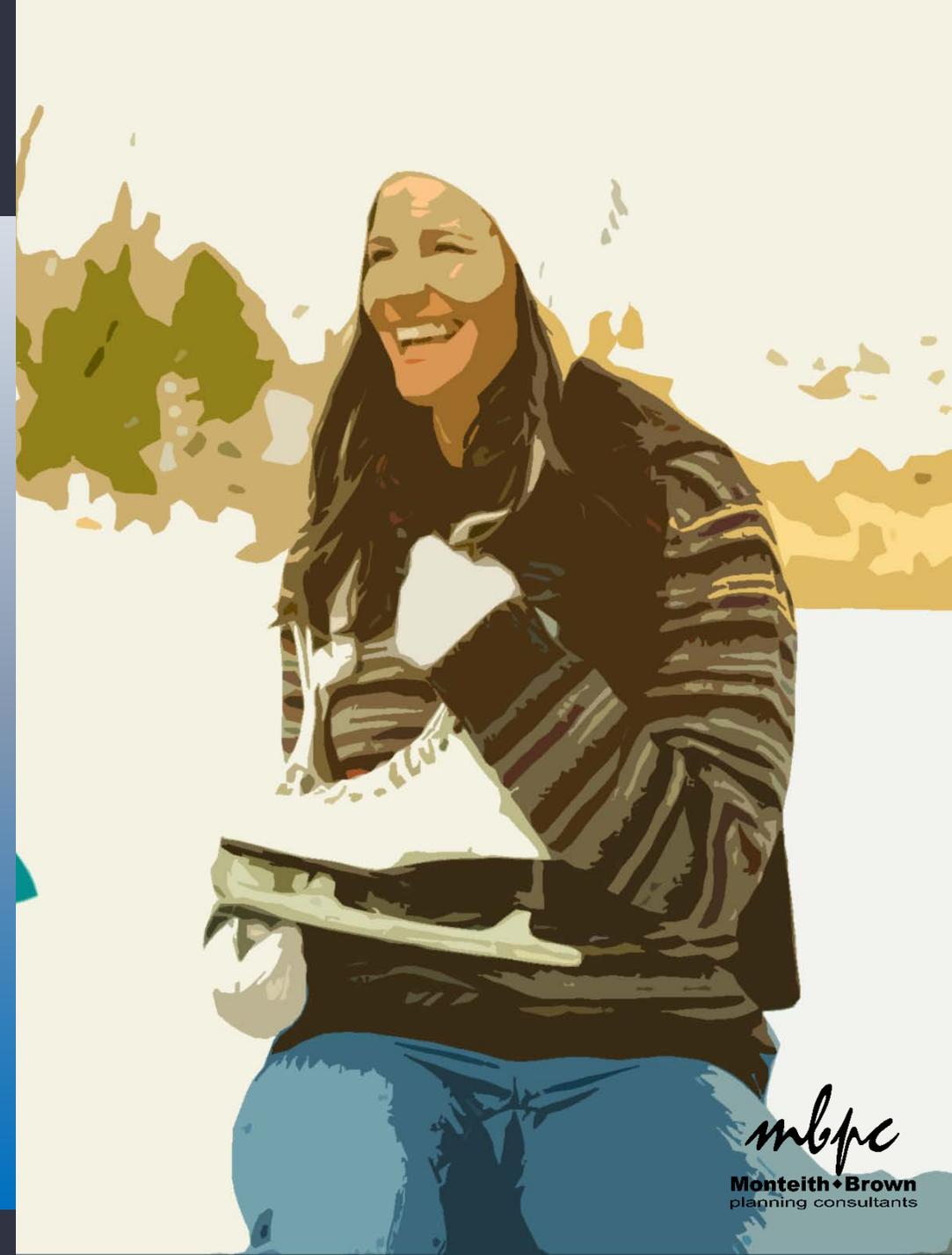
Part of the site selection process should also involve preparation of cost estimates (capital and operating) as these will differ by the location chosen.



# Monitor Impacts of COVID-19 and Local Participation Rates

Review potential implications of COVID-19 on arena participation and utilization rates as they pertain to short-term arena demand.

Before deciding upon a fourth ice pad, confirm future arena market conditions including the rate of population growth (with emphasis on the 5 to 19 age group), changes to participation rates, additions or removals of ice pads from the regional arena supply, changes to user group programming requirements and capabilities, etc.

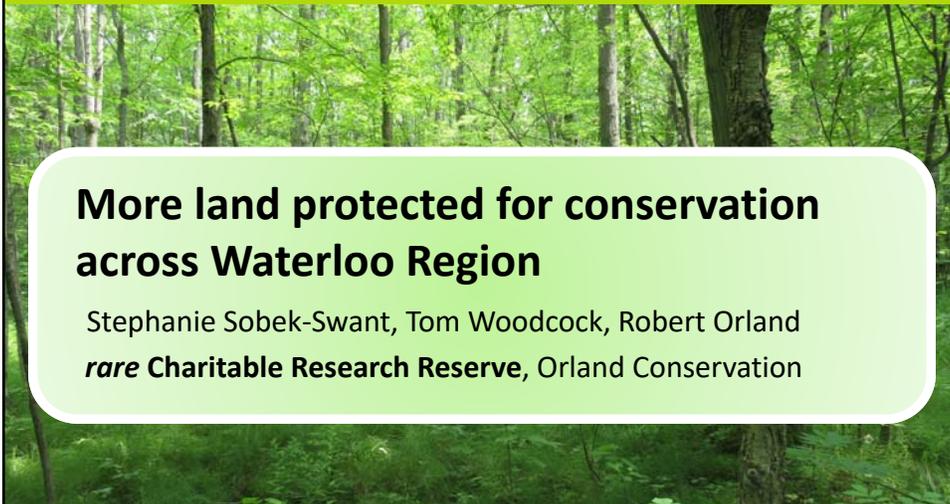




# THANK YOU



**ra re** Introducing the *rare*sites land securement strategy



**More land protected for conservation across Waterloo Region**

Stephanie Sobek-Swant, Tom Woodcock, Robert Orland  
*rare* Charitable Research Reserve, Orland Conservation

1

A land trust and environmental institute **ra re**

**Conservation**  **Research**  **Education** 

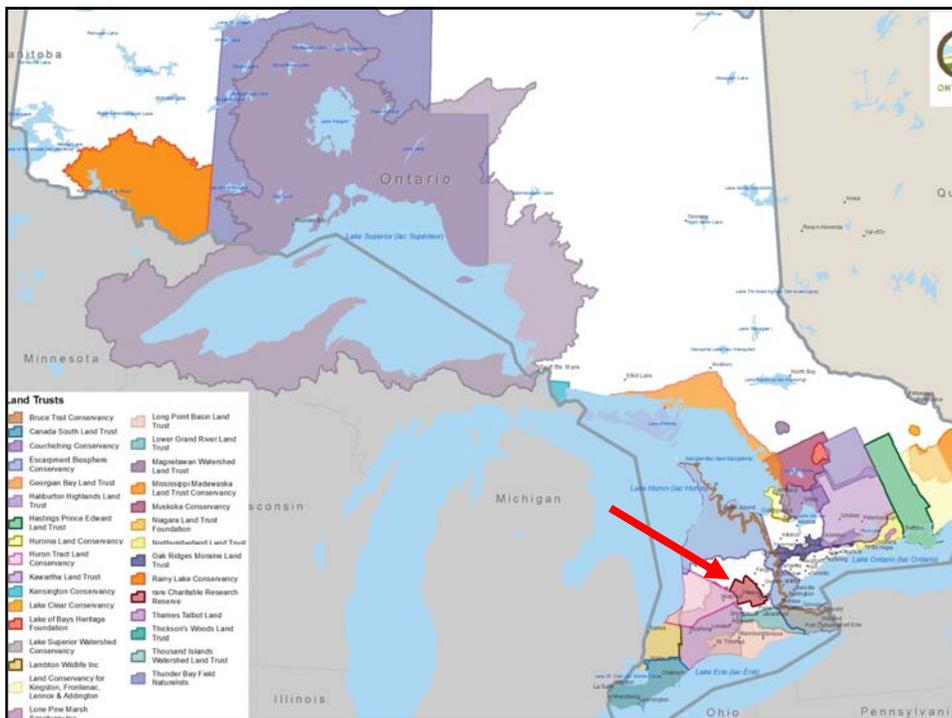
Key focus 2020-2024:

**Stewardship & Place —**  
**Conservation and restoration of land is *rare*'s core priority.**  
We will launch and begin to implement the *rare*sites land securement strategy; being on the land and with the land will form the basis for everything else we do.

2



3



4

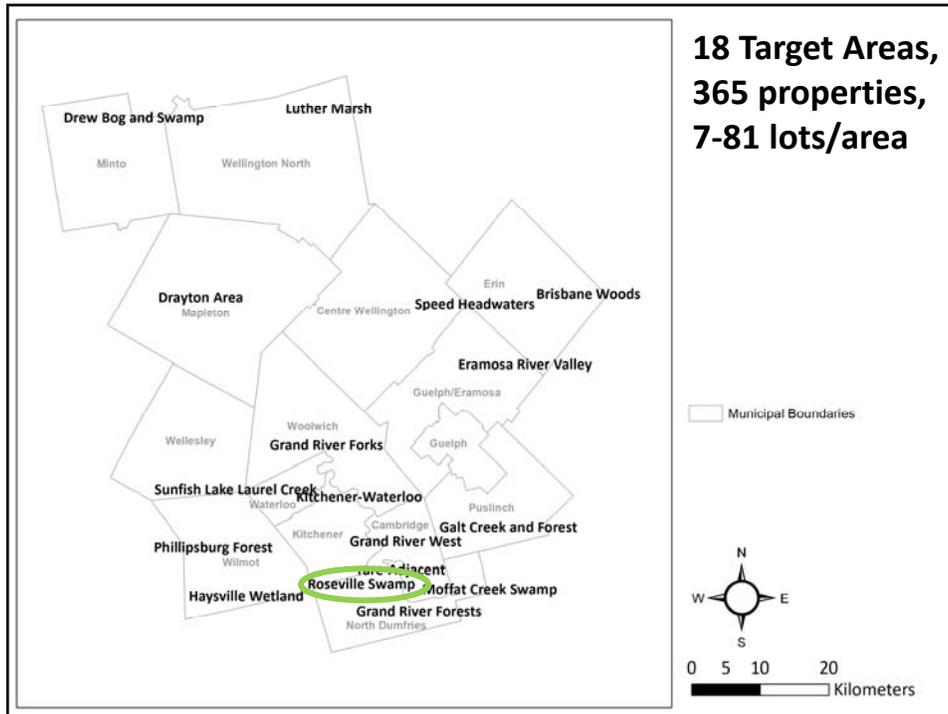
Organization	Land Secured (ha)	Actively securing in the area	Partner Potential	Focus
Conservation Halton	~300	Some	Yes	Area expansion & linkage
County of Wellington	525	No	Yes	Forests
Credit Valley Conservation	~39	No	Yes	Credit Valley Trail
Ducks Unlimited Canada	0	No	Yes	Waterfowl habitat
GRCA (Grand River CA)	7,933	No	Yes	Outside the area
Nature Conservancy of Canada	0	No	Possibly	Outside the area
Ontario Farmland Trust	38	Yes	Yes	Farmland
Ontario Heritage Trust	11	No	Tech support	Natural heritage
Ontario Nature	0	No	Yes	Ecological
<b>rare Charitable Research Reserve</b>	400	Yes	Yes	Ecological
Region of Waterloo	435	No	Yes	Greenlands network
Waterloo Region Nature	8	Yes	Yes	Ecological
<b>TOTAL</b>	<b>9,664</b>			

5

## Securement strategy criteria

- Ecological and physical science,
- Parcel size (>2 ha),
- Urbanization threat,
- Potential for funding,
- Geographic dispersion to serve every lower tier municipality within the Region of Waterloo and Wellington County; and,
- Limited to a reasonable number of landowner contacts that can be approached within a five year program.

6



7

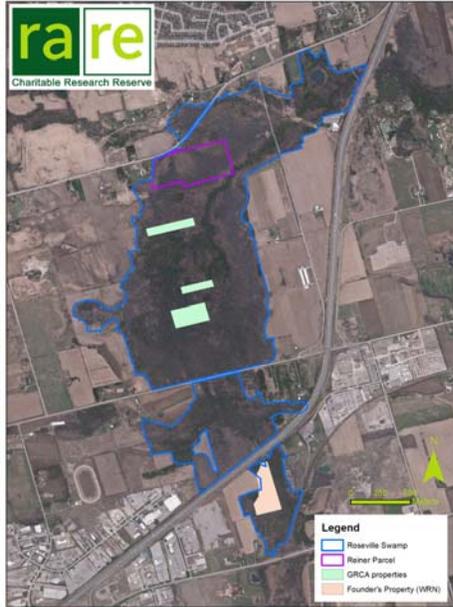
**rare** Conservation Targets

400 ha of additional land secured in 5 years

- Average target parcel size 25.5 ha
- adjusted to 23 ha for partial takings
- 10% of landowners are interested after outreach
- 5% get ultimately secured

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## Target area: Roseville Swamp



First acquisition  
(Reiner property)  
Ecogift donation  
nearing completion  
in 2020

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## Landowner Options

Most landowners only know of two disposition options for their land:

- Sell it; or
- Leave it to their children



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## Land Securement Methods

- Land Donation
- Split Receipt
- Conservation Severance
- Bequest
- Life Interest Agreement
- Conservation Easement Agreement

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## Environment Canada Ecological Gifts Program

- Register donations through the Ecogifts Program
- 0% capital gains tax
- Full appraised value is receipted (100% inclusion)
- Donation value can be spread over 10 years

**Ecological Gifts**

*Canadians donating ecologically sensitive land*



EthosMedia.com

Create a legacy and receive a tax break today

Many Canadians who own ecologically sensitive land have no guarantee that the piece of nature they have cherished for years will be cared for in the future. Through the Ecological Gifts Program, landowners can protect their land, create a legacy, and at the same time may receive a substantial income tax benefit.



**Ecological Gifts Program**  
*Canadians donating ecologically sensitive land*



**Programme des dons écologiques**  
*Les Canadiens faisant don de terres écosensibles*

12



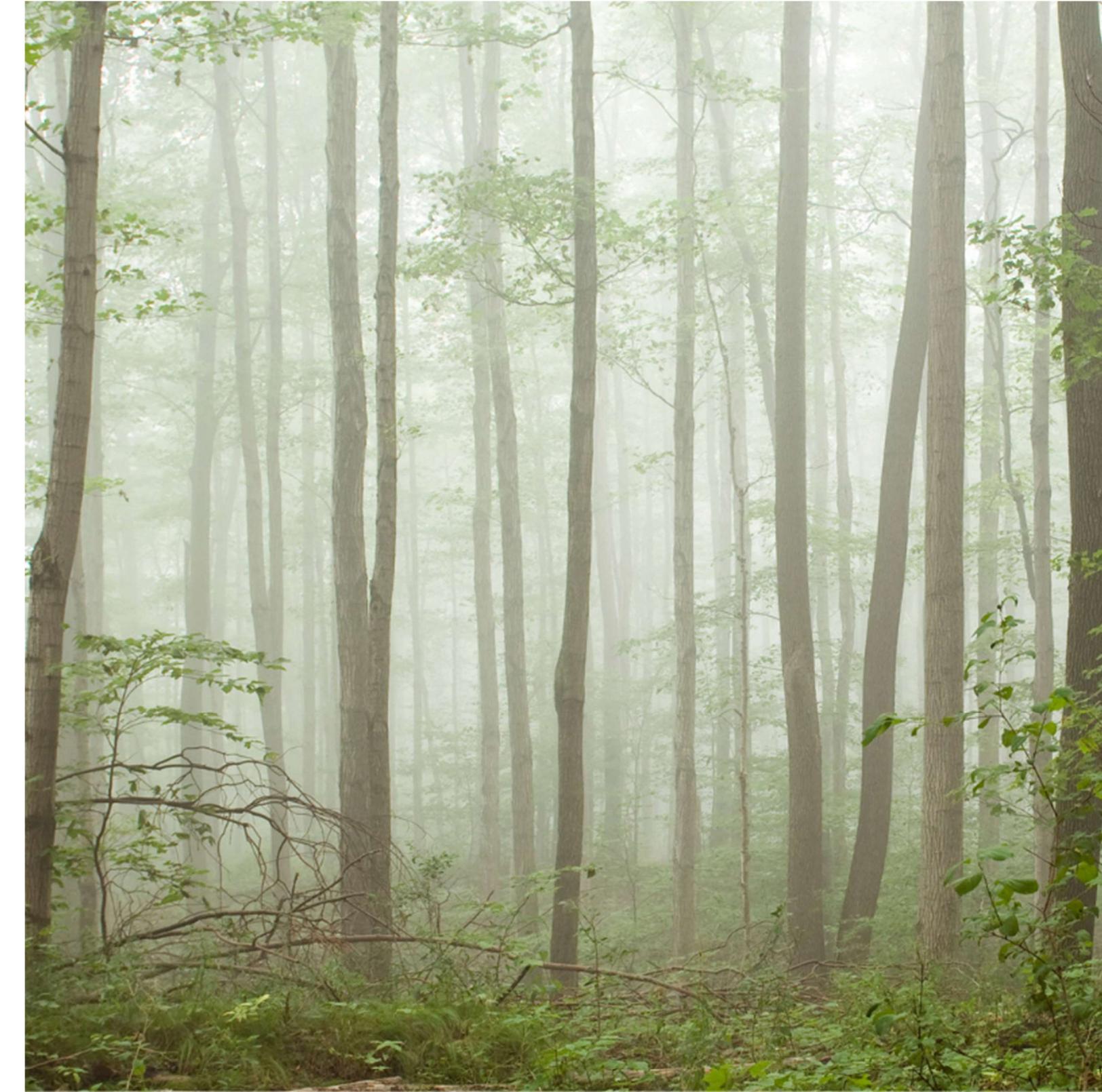
*Thank you!*



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# Land Securement Strategy

*rare* Charitable Research Reserve | 2018



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## Land Acknowledgment

Founded on December 6 2001, the **rare Charitable Research Reserve** is a community-driven urban land trust, nature reserve and environmental institute. The reserve’s headquarters and first three locations comprise over 900 acres within the Haldimand Tract; spanning six miles on either side of the Grand River from source to mouth, the Haldimand Tract is land granted to Indigenous Peoples in 1784 to recognise their support for the British in the American Revolution.

For all its properties, **rare** acknowledges and is grateful to all of the original stewards of the land. This land has been rich in diverse Indigenous presence since time immemorial. We would like to honour and respect the sovereignty of both First Nations in our area: the Onkwehon:we Peoples of Six Nations of the Grand River and the Anishinaabe Peoples of the Mississaugas of the Credit. Nia:weh and Miigwech to these Nations who share their lands with us. We’d also like to acknowledge the Neutral people, for whom we have archeological evidence dating back 10,500 years.

## Index of Terms and Acronyms

ac	Acre (4046.86 square metres)
ANSI	Areas of Natural and Scientific Interest
DCL	Designated Conservation Lands
DLA	Designated Land Areas
EGP	Ecological Gifts Program
ESL	Environmentally Sensitive Landscape
ESPA	Environmentally Sensitive Policy Areas
ha	Hectare (2.47 acres, or 10 000 square metres)
HSP	Habitat Stewardship Program (Environment Canada)
MNR	Ministry of Natural Resources and Forestry
NCC	Nature Conservancy of Canada
OCEF	Ontario Community Environment Fund
OFT	Ontario Farmland Trust
OLTA	Ontario Land Trust Alliance
OLTAP	Ontario Land Trust Assistance Program
Polygon (map)	A map that stores spatial geographic information in customized “shapes” using polygons that can indicate closed areas/ boundaries
PSW	Provincially Significant Wetlands
SAR	Species at Risk
SARA	Species at Risk Act

## Executive Summary

The **rare Charitable Research Reserve (rare)** is a community-based urban land trust and environmental institute that protects, restores, studies, manages and educates about conservation lands. Conservation lands can include, but are not limited to, wetlands, creeks, riverbanks, forests, Areas of Natural and Scientific Interest (ANSIs), and municipally designated Environmentally Sensitive Policy Areas (ESPAs). As a registered charity, **rare** is governed by a Board of Directors and has several teams of experts who form its Advisory Committees (Environmental, Research, Education, **raresites** Land Securement committee and Campaign Cabinet). Led by an Executive Director, the staff currently includes two Administrative Assistants, a Major Gifts Manager, a Sponsorship & Events Manager, a Conservation Technician, a Facility & Gardens Coordinator, a Gosling Engagement Coordinator, a Development and Communications Officer, two certified Educators, an Indigenous Research Fellow, a Program Scientist, a Postdoctoral Research Fellow, a Major Gifts Manager, and a Planning Ecologist, all of whom are assisted by a network of volunteers and mentors.

The existing holdings consist of six different property rolls, the bulk of them forming a contiguous cluster of 902 acres at the confluence of the Grand and Speed Rivers. At the heart of the Blair-Bechtel-Cruikston Environmentally Sensitive Landscape (ESL), these lands are of special ecological significance to Waterloo Region, and many of the habitats within the Reserve provide conditions to conserve and restore biodiversity in its many forms – species, habitat and ecosystem. In early 2019, an additional 87 acres were acquired in Rockwood, starting another ecologically significant cluster of lands based on the findings of this securement strategy. This new purchase is start of the **raresites** Eramosa River Conservation Corridor.

In the context of this document, we define land trusts as charitable organisations whose purpose is the securement and stewardship of ecologically and/or culturally significant lands. This Strategy provides a guideline as to why, where, and how **rare** secures land.

Over 30 land trusts including **rare Charitable Research Reserve** have been formed in Ontario over the last few decades to protect significant lands from impending or potential development sprawl and inappropriate land use practices. Despite a range of land trust conservation efforts across the province, other than **rare**, no land trust focusses on the Regional Municipality of Waterloo or any part of adjacent Wellington County. By 2038, the population of Waterloo Region/Wellington is expected to grow by more than 35%. With increasing development pressure and intensified agricultural operations, the remaining areas of ecological significance in Waterloo Region and Wellington County should be a focus for securement by **rare Charitable Research Reserve** as a regional land trust. This is not only an important goal for conservation, but also an opportunity to continue to create communities of concern around conservation lands through research, education and stewardship.

This consolidated version of **rare's** Land Securement Strategy is designed to educate and guide the local community on the methods and opportunities for future land securement projects and delineates an overall area of focus for Waterloo Region and Wellington County that identifies strategic project areas. Specific projects have also been identified but information on projects under current or future consideration is proprietary to respect landowner privacy and to not affect fair market value for local property. This builds on recommendations and experiences shared by other Ontario land trusts who have secured conservation property with a regional focus for decades.

This Land Securement Strategy (the “Strategy”) is developed with a five-year first implementation and review period. The Strategy should be used as a guiding tool throughout this time and will be updated adaptively in 2023.

## Introduction

This Land Securement Strategy (the “Strategy”) is a framework and guiding document for the long-term protection and conservation of ecologically important lands within Waterloo Region, Wellington County and the City of Guelph. The Strategy targets highly significant environmental features and habitats for permanent protection, stewardship and ecological enhancement by **rare**, to be maintained intact in perpetuity. Methods to secure these lands are outlined in this Strategy.

The recommended Strategy’s successful implementation will depend on working collaboratively with municipalities, community organisations, funders and landowners.

### The **rare** Charitable Research Reserve

The **rare** Charitable Research Reserve is a 900+ acre urban land trust and environmental institute in Waterloo Region/Wellington. Since its inception, **rare** has taken care of the land on behalf of the community by using Western approaches to conservation, research and education. Such approaches prioritize scientific inquiry and stewardship efforts to manage, enhance and restore habitat. As **rare** becomes engaged in reconciliation and supports Indigenous resurgence of the original stewards of the land, the work of the organisation is also embracing and valuing Indigenous ways of knowing and being through Indigenous-led programs that are currently being further developed.

### Conservation at **rare**

With 24 different habitats and more than 3,700 species on its first three properties in the Blair area, **rare’s** goal is to preserve its sites and their ecosystems intact and in perpetuity, for the community to enjoy in their natural states. Through expert management, sensitive lands and research sites are protected and enhanced, while **rare** also encourages the public to enjoy 8 km of trails, extensive community gardens and regular community events.

At **rare**, we define the word ‘conservation’ by our intention to be caretakers of the land and the biodiversity native to Waterloo Region and Wellington County. This rich landscape, situated along the boundary between the Great Lakes-St Lawrence and Carolinian life zones, is home to species unique to each zone, and here they can be found in unusually close proximity. Conservation in this context is very different from ‘fortress conservation,’ which is based on the belief that biodiversity protection is best achieved by creating protected areas where ecosystems can function in isolation from human disturbance. Humans have the potential and ability to enhance and restore life when it is cared for and treated in reciprocity – which is the goal of conservation at **rare** and everyone’s inherent responsibility. We also acknowledge that in most areas of the country, what we consider natural landscapes today are actually landscapes that have been used and modified by humans for thousands of years. Particularly since European settlement, many alterations of landscapes and habitat in Canada have been detrimental and led to loss of habitat and biodiversity. We believe that sustainability is an attainable goal that can be reached if we recognize people as part of the environment and work together towards responsible stewardship. We have chosen a watershed-based approach to this land securement strategy because ecological features don’t stop at municipal boundaries. Protecting the tributaries of the Grand River is paramount for the health of ecosystems and communities downstream, even if they fall into separate municipal jurisdictions.

**rare's** unique method of conservation is based on three fundamental principles:

- 1) undertaking research to further science, and equally to value and support Indigenous ways of knowing and being, in developing best practices for use around the world;
- 2) training land stewards who will perpetuate these values; and
- 3) creating an entire community of support for these values and for shared goals between Scientists and Indigenous communities.

### **Impending Urbanization**

Although intensive agriculture often destroys natural features and leads to the disappearance of sensitive species, land formerly devoted to agriculture can still offer opportunities for restoration. Given current municipal policy, moreover, it is unlikely that more land within Waterloo Region and Wellington County will be cleared for agriculture. The greater threat is urbanization. Wherever urban development lays pavement and erects buildings, natural restoration is far less feasible. Therefore, natural areas closest to existing urban centres and connecting highways are under much larger threat of urbanization than more remote rural areas; **rare's** focus on these urban-adjacent areas has helped to identify a timely priority for securement.

Waterloo Region is home to more than 580,000 people and this population is expected to grow by 35% to 2038 (Region of Waterloo Public Health, 2018). In Wellington County, the population growth in rural areas is projected to be between 34% and 43% through to 2041 (Watson & Associates Economists Ltd., 2015).

With these increases in human population, demand for urban land will rise, as will land values. Speculators purchase lands in hopes of profit associated with development potential. **rare's** ability to secure lands at appraised market value becomes highly unlikely once they are in speculator ownership. As the availability of ecologically important lands will thus diminish, securing conservation lands sooner than later is vital and of critical importance.

### **Scope of the Strategy**

The Strategy recognises the role of **rare** as a regional land trust in securing land while adhering to the Standards and Practices of the Canadian Land Trust Alliance. The Strategy identifies the most important lands for securement to focus on landowner outreach over the next five years based on the following criteria:

- ecological and physical science;
- parcel size (>2 ha);
- urbanization threat;
- geographic dispersion to serve every lower tier municipality within the Region of Waterloo and County of Wellington, and to limited extent, the City of Guelph;
- location within or proximity to provincially or municipally designated natural features or landscapes;
- proximity to natural features within public or other land trust ownership;
- location on the Grand River or its major tributaries;
- limited to a practicable number of landowner contacts within a five-year program;
- potential for funding; and
- potential for donation or sale.

Properties were then grouped into identifiable clusters within and around provincially significant natural features such as ANSIs and Provincially Significant Wetlands (PSWs) or within the Provincial Greenbelt or Waterloo Environmentally Sensitive Landscapes.

Lands not included in this Strategy may still have merit for securement; however, **rare** only pursues securement in cases where the organisation is deemed the most appropriate securement agent. For example, this Strategy establishes a basis for avoiding securement within inner city urban areas. These areas' unique challenges generally require higher stewardship and management costs, which are better borne by municipal parks departments. Extensive public use of lands in urban cores, including unauthorized activities such as land encroachment, also poses risks that would impact **rare's** resources significantly.

To provide options for landowners and **rare** to achieve win-win outcomes, the Securement Options section outlines descriptions of recommended land securement methods. The success of land securement projects ultimately will rely on the availability of project funding, including stewardship endowments that will ensure perpetual care and stewardship.

### **What is Land Securement?**

Land securement is the acquisition of land, land use rights, or an interest in land with the purpose of ensuring long-term environmental protection and stewardship. Land securement takes the form of ownership or conservation easement agreement and is delivered through a wide variety of mechanisms such as donation, purchase, transfer and any combination thereof. Differing from land procurement, land securement is to be undertaken with the ultimate purpose of protecting a feature or features of that land in perpetuity. While many of these features are protected to some degree through policy and regulations of government organisations, the only means to ensure both long-term protection and appropriate stewardship of the lands is by independent, community-based land securement through a land trust. Existing land protection policies and regulations are open to be altered as government priorities change over time. Some predict that they will become increasingly strict, while others predict that exponential population growth will place pressure on future policy makers to allow development in previously restricted spaces. In either case, land trusts such as **rare** offer an alternative to relying on legislation to protect lands, by instead engaging in ongoing community collaborations.

### **Land Securement Background and Context**

The **rare Charitable Research Reserve** was formed in 2001 after the acquisition of 900+ acres of lands from the University of Guelph; three properties located along the Grand River in the village of Blair and the City of Cambridge comprise **rare's** original holdings. The organisation's movement from **rare** to **raresites** expands upon a very successful initiative that started with that original holding, and now **raresites** has emerged from extensive planning with the aim of fostering organisational growth based on community-driven needs.

During the Strategy and Planning process in late 2014 and early 2015, **rare** conducted community surveys, focus groups, expert interviews and a community town hall meeting to explore specific community needs. These efforts identified one of the biggest conservation issues facing the Grand River watershed and adjacent areas as the lack of grassroots opportunities to protect land; as building intensifies on lands designated for urban development, agricultural land and some associated natural areas are being lost.

Until very recently, no regional land trust such as **rare** had represented Waterloo Region, Wellington County or adjacent communities situated in the Grand River watershed and its

tributaries — the Speed, Eramosa, Conestogo and Nith Rivers. Provincial and national land trusts have no existing protective presence this area, nor does the region feature any provincial or national parks. Large, unfragmented tracts of conservation land do not exist here. The high cost of land and high rate of private ownership deter national and provincial organisations, which focus their strategies on areas where size can be maximized (e.g. NCC’s set ecoregion targets). For other agencies, land securement is a smaller part of the organisation’s activities (e.g. Ontario Nature, Ducks Unlimited), although they may consider offering support to a local land trust with projects of interest. With current staffing and resources, the three conservation authorities having watershed jurisdiction over this area have no plans to proactively secure additional lands. If a project that fits their criteria was brought to a conservation authority’s attention, they may consider partnering; however, their focus on watershed resource management limits attention to other natural features. Finally, no government entities in the area are actively acquiring conservation lands.

Currently there are no conservation authorities, other land trusts or municipalities conducting landowner outreach for land securement initiatives in Waterloo Region and Wellington County. With its emphasis on science-based stewardship, conservation research and education, *rare* is filling this gap, expanding its role as a regional land trust.

### Natural Heritage Protection

The *rare* Charitable Research Reserve seeks to secure the natural heritage of the Waterloo and Wellington areas for future generations by

- focussing efforts on lands with the greatest natural heritage significance,
- basing criteria for land securement on features of provincial and regional significance and
- accounting for a wide range of significant species, habitats and ecosystems.

### Land Securement by *rare* & Other Organisations

In looking to identify what lands to acquire, it is helpful to examine *rare*’s land securement initiatives in relation to land trusts and conservation authorities, as noted in Table 1 below.

Table 1: Potential Land Securement Partners in the Area

Organisation	Land Secured (ha)	Actively securing in the area	Partnership Potential	Focus
Conservation Halton	~300	Somewhat	Yes	Area expansion & linkage
County of Wellington	525	No	Yes	Forests
Credit Valley Conservation	~39	No	Yes	Credit Valley Trail
Ducks Unlimited Canada	0	No	Yes	Waterfowl habitat
Grand River Conservation Authority	7,933	No	Yes	Outside the area
Nature Conservancy of Canada	0	No	Yes	Outside the area
Ontario Farmland Trust	38	Yes	Yes	Farmland
Ontario Heritage Trust	11	No	Tech support	Natural heritage
Ontario Nature	0	No	Yes	Ecological
<i>rare</i>	400	Yes	Yes	Ecological
Region of Waterloo	435	No	Yes	Greenlands network
Waterloo Region Nature	8	Yes	Yes	Ecological
<b>TOTAL</b>	<b>9,689</b>			

Given that **rare** also has an active environmental research program, furthermore, additional partnership opportunities exist with the local universities and colleges. For example, the University of Guelph has protected land on its main campus, and the University of Waterloo has a 39 ha nature reserve at Spongy Lake near Baden.

### **Conservation Land Securement Philosophies**

**The rare Charitable Research Reserve's** land securement initiative is guided by the following principles that focus on ecological integrity, connectivity and financial sustainability:

1. The priority for acquiring lands within the Region and County is to protect existing natural features of high ecological quality and/or buffer lands around such natural features for restoration and strengthening landscape connectivity. Land securement opportunities that fall outside the areas delineated in the Strategy should not be rejected without a review, but on a case by case basis. For example, lands of ecological significance or with decent restoration potential that do not fully meet the target criteria could still be valuable acquisitions for securement, especially if they are being donated and a stewardship endowment fund is available.
2. Land acquisition efforts favour a focus on the specific portions of a legal parcel that are required for **rare** purposes. When an entire property must be acquired, portions not needed by **rare**—i.e. portions that are not ecologically significant—will, where possible, be severed from the main parcel and sold at fair market value, possibly with a simultaneous closing date. The resulting funds will be used to secure or steward additional lands. Alternatively, the landowner working with **rare** could pursue a conservation severance which would allow **rare** to acquire only the environmentally significant portion.
3. When purchasing land, price shall not exceed fair market value to avoid creating an inflated market for conservation lands. With the recognition that appraisals are professional opinions that can vary significantly among professionals, organisations such as the Nature Conservancy of Canada allow a flexible 10%+/- variation in appraised values for purchases. Ultimately a willing buyer and seller determine fair market value. Appraisals should meet the standards set out in an Appraisal Terms of Reference for the Ecological Gifts Program and/or as adopted by project funders if applicable.
4. All newly acquired lands will also require raising a stewardship endowment fund of 20% of the agreed land value. In certain cases, an amount less than 20% may be allowed, but only in very exceptional cases will it be less than 10% of the appraised value or the agreed-upon purchase price (whichever is less).
5. In the first three years following the adoption of the Strategy, a robust effort will be made to contact all landowners of the Designated Conservation Lands listed below, in addition to general outreach promoting **rare's** land securement efforts throughout the community.

## Conservation Efforts

Assessing the ecological value of an individual land parcel is a major factor in implementing this Strategy, but other factors must also be considered before *rare* makes a land securement decision. The following additional factors should be reviewed for all potential securement projects.

### Complementary Processes to Land Securement

Conservation land securement aims to protect ecosystem features and functions and requires a range of tools including planning policy, volunteer stewardship and land acquisition or easement. These tools vary in their protective functions. The preferred securement method depends on factors including the feature's sensitivity, landscape context, landowner values and needs, public access or use, funding availability, opportunity and urgency. A case-by-case assessment should be undertaken to determine the quality and significance of the natural features and functions of each property. When a charitable land trust such as *rare* holds land in ownership, the trust establishes a secure means of protecting the landscape and can provide the public with opportunities to experience and appreciate natural areas through direct interaction. Because not every owner of natural heritage lands will consider land securement through a third party as an option, other land conservation tools are also important. Each of these tools has a role to play in protecting natural lands within the watershed. While it may be easier for landowners to choose an interim conservation option less permanent or restrictive than land securement, in time they may become ready to reconsider land securement.

### Existing Protection

In recent years, provinces, conservation authorities and municipalities have delineated increasingly strict planning policies and regulations to protect provincially designated natural areas from development. Existing legislation that protects environmental features further works in favour of conservation land securement activities because people are more willing to divest of land where development is already prohibited. These policies are not set in stone, however, and can become weakened as soon as government interests or political directions change, potentially putting once-protected natural areas at risk again. Protecting environmental features through legislation can be effective in the short-term, but conservation land securement does not consider land under existing legislation to be permanently protected, instead viewing such legislation as a placeholder until those lands can be secured. In short, the most effective and permanent protection of important natural heritage land becomes possible when those lands are secured by an appropriate organisation.

### Planning Act

In Ontario, land-use regulation combined with conservation-based government policy and legislation has been the traditional means of protecting ecologically significant land such as forests, wetlands, environmentally sensitive areas, ANSIs, grasslands, and valley lands. While generally effective in the short-term, policy and regulation will invariably be subject to periodic review and amendment; hence, existing legal structures cannot provide permanent, scientifically informed, long-term stewardship of natural areas. In addition, although municipal Official Plans or related policies may be intended to protect certain lands, land developers might apply to develop the lands anyway, and then appeal negative decisions to an independent authority, the Local Planning and Appeal Tribunal (the replacement for the Ontario Municipal Board). Defense of an appeal can be time-consuming and expensive whether a case is won or lost. Lastly, the protection offered through Planning Act instruments only applies where a 'trigger' for the act exists, such as a development application. These protection measures are ineffective where a landowner deliberately or unknowingly undertakes land management activities contrary to these controls.

As political landscapes change, any policies and regulations in place to conserve natural heritage lands remain unstable and only reliable within the context of short-term conservation planning. There is a further misalignment between long-term planning, typically performed with 20-year ideation, and conservation planning, framed in terms of hundreds of years, or in perpetuity. Relying solely on planning, policy and legislation is ultimately not a sustainable methodology for a conservation vision. Therefore, the most effective approach to protecting and conserving natural heritage lands is to prioritize land securement by an organisation capable of implementing stewardship objectives over a much longer time frame than any individual landowner.

Specifically, the term “conservation land securement” in the strictest sense refers to the legal acquisition of natural areas or natural heritage lands to facilitate protection of land in perpetuity. Land securement requires both a willing seller/donor and buyer/recipient. Once secured, such lands are generally held in public or land trust ownership with the goal to maintain, protect, restore, and enhance the natural features and their contribution to a larger ecological system. These lands typically result in the formation of nature reserves. Because the goal of land securement is permanent protection, it differs from ‘land procurement,’ which is the acquisition of land that may at some point be deemed a disposable asset.

### **Planning & Guiding Studies**

The following provincial reports, plans and legislation provide a foundation of themes and studies that inform and guide this Strategy:

- Provincial Policy Statement (2014, and ongoing legislative revisions)
- Greenbelt Plan (2017)
- Endangered Species Act (2017)
- The Conservation Land Act (1990)

Note that with the change in provincial government, many proposals for new bills or changes in legislation have been brought forward. It is paramount to continue to monitor the current political and cultural landscapes for changes that may affect the proposed land securement strategy and implementation of the work.

### **Municipal Conservation**

In 2016, the Regional Municipality of Waterloo adopted the *Greenlands Network Implementation Guideline* to provide guidance to development applicants, the Ecological and Environmental Advisory Committee, and agency staff. It provides detailed technical guidance to applicants and respective planning approval agencies for implementing Regional Official Plan policy. It is not, however, a guide for the long-term stewardship of natural features.

### **Conservation Exemptions in the Planning Process**

For conservation authorities, the statutory authority to acquire land comes from the Conservation Authorities Act. The Act also provides conservation authorities with the ability to perform direct conveyances or partial takings of land for conservation purposes. Conservation authorities must obtain Ministerial approval of a Land Securement Strategy before executing the ability to undertake direct partial conveyance of lands.

In this regard, conservation authorities, as public bodies, have greater flexibility in the securement of partial takings than land trusts, which are typically registered charities. They can execute a direct conveyance, while land trusts must apply for a severance to the Committee of Adjustment as required under the provincial Planning Act. Some partial taking projects may warrant partnering

with the applicable conservation authority for this reason, as it could be faster and more cost effective.

## Securement Options

Properties can either be secured on title by fee-simple ownership or by registering a conservation easement on title.

### Fee Simple

Fee simple is the most effective method of natural area protection. In this scenario, the recipient acquires complete control of management and rights to the property by holding title. A property can be acquired either by purchasing or receiving land as a donation.

### Conservation Easement Agreements

Conservation easement agreements (“easements”), or conservation agreements, are legally binding agreements registered on title. In an easement, the landowner transfers specific rights, such as the ability to create building lots or cut trees, to a “conservation body.” This conservation body could be the Crown, a municipality, conservation authority, band, or land trust. Depending on how the agreement is composed, the easement holder may have the right and responsibility to monitor the property (thus the term “easement”) and ensure landowner compliance with the terms of the conservation agreement. Easements in general are negatively binding, in that they can only prohibit landowners from carrying out specific activities, but conservation easements may also be positively binding, by additionally requiring landowners to carry out specified stewardship activities deemed essential to fulfill the purpose of the agreement. Easements can provide for the protection of a specific feature or value such as a species at risk, ecosystem, trail, restoration site or heritage building.

If the easement agreement grants no access, the agreement can be simply referred to as a restrictive covenant. Unlike a conservation easement, which can be negatively or positively binding, a restrictive covenant must only be negative in nature, restricting the land to specific uses. Moreover, the holder of a restrictive covenant must, in the words of the *Land Titles Act*, be demonstrated to “own land to be benefitted by the covenant and that land must be mentioned in the covenant.” Often this would apply to immediately adjoining or nearby land. Failure to identify the “benefitting lands” may invalidate the restrictive covenant. This could be potentially problematic for a multi-property land trust. Lastly, restrictive covenants are usually for a set period of years, but if no duration is specified, they expire after 40 years, unless governed by the Conservation Lands Act. Thus, it is a narrower and less flexible instrument than a conservation easement.

Conservation easements can be an effective tool for protecting the ecological and cultural values of a property because they utilize restrictive covenants. The purpose is to prevent the destruction or exploitation of a property feature or resource for a term of years or in perpetuity. Property usage rights (e.g. subdivision rights, development rights, and tree cutting rights) can be donated or purchased from the landowner, but it is most common for easements to be donated. In some cases, including the easements in the vicinity of the **rare** properties, the conservation easements have been imposed as a condition of development approval.

In 1994, the provincial government passed the Conservation Land Act. This Act allows landowners to grant easements for the protection and conservation of land. Easements are registered on title and bind all future landowners. A further amendment to the Conservation Land

Act, passed in 2006, introduced the following new requirements intended to strengthen the protection afforded by conservation easements:

- The owner of the land shall not amend an easement or covenant without the written consent of the Minister of Natural Resources and Forestry
- The conservation body cannot release the easement or covenant without the written consent of the Minister of Natural Resources and Forestry
- No person shall commence legal proceedings to amend or release an easement or covenant without giving notice to the Minister

Furthermore, over the past few years the land trust community in the United States and Canada has made improving easement programs a primary focus. Standards and practices relating to conservation agreements have been at the forefront of training and implementation, especially in drafting, negotiating, budgeting, and preparing required Baseline Documentation Reports, and in monitoring and defending agreements. Publications on the standards and practices related to conservation agreements include *Best Practices and Performance Measures for Conservation Easement Programs* (Environment Canada, 2005), *Greening Your Title* (WCELR, 2005), and *The Conservation Easement Handbook* (LTA, 2005). These publications are an excellent resource for any conservation organisation. Knowledge of easements as a conservation tool is continually evolving. Conservation agreements are often complex, lengthy to negotiate, challenging to manage, and are not always effectively interpreted or acknowledged by future landowners. Therefore, easement holders need to practice and enforce due diligence and establish a robust conservation agreement program in order to uphold these agreements in perpetuity.

One of the starting points in developing a strong conservation agreement program is to negotiate from a legally robust agreement template. Work is in progress to tailor a template to **rare's** specific organizational and regional needs, and specific projects may need specific additions or deletions.

Monitoring of easement lands should be performed annually at minimum and in conjunction with the Baseline Documentation Report. Such frequent site visits will allow **rare's** land management team to easily note any change in use contrary to the easement and to be able to document a strong case of wrongful action if the need arises. It can also build a positive relationship of trust with the landowner and provide the landowner with timely technical assistance.

### **Variations of Fee Simple**

With either securement option of fee simple or conservation easement, the collaborators can use creativity and flexibility to meet both **rare's** and the landowner's needs and wishes. With conservation easements, **rare** and the landowner write the Agreement to suit. With fee-simple, an array of scenarios can be considered. They are as follows:

### **Partial Taking**

This is an acquisition of only part of a property. For example, a landowner with a residence on their property may be willing to dispose of most land while retaining the building and amenity area. The advantage to this method is that the property severed for conservation purposes usually consists of undevelopable land and therefore rarely comprises the bulk of the property's value. In other words, the landowner who retains a residential lot and its small surrounding acreage usually retains most of the property value within that much smaller area. The severed land is owned and managed by the recipient (**rare** or partner), while the landowner benefits from living adjacent to conservation lands, which they no longer need to manage and for which they are no longer liable.

In addition, if the landowner wants to sell the property in the future, they have a much more manageable property to sell and will possibly attract more potential buyers.

In some cases, landowners will want to donate or sell the entire parcel to the recipient. In the case of a sale, the recipient may want to recover some of the purchase price by severing and selling off the developed or developable portion of the property if local planning policies permit such a severance. It is advisable to negotiate a long closing date to provide sufficient time to market the developable lot and aim for a simultaneous closing.

Municipalities and conservation authorities can execute a direct conveyance, while land trusts must apply for a severance to the Committee of Adjustment as per Planning Act requirements.

### **Gratuitous Dedication**

In this instance, a developer dedicates land within a development proposal as a condition of the application's approval. Gratuitous dedications usually result in the developer committing valley lands, typically already in the floodplain and with minimal tablelands, to either the municipality or conservation authority. This could occur for *rare* if a municipality is willing to accommodate the arrangement but is uncommon for land trusts in general.

### **Donation**

Donation can take many forms and can be complete or partial. Primarily, the donor has two options:

1. Donate all (or part) of the property directly to *rare*. Direct donation can be a significantly lower-cost option, and the process is usually quick. (It could be completed within weeks or months, assuming the donor's readiness to part with property, and a swift movement through board approval, appraisal, legal agreements for acceptance and other related work.). A charitable donation receipt can be issued in respect to the value of the property if desired, which can be applied against tax returns in the same fashion as other charitable tax receipts, although in this instance capital gains tax does apply.
2. Donate all (or part) of the property to *rare* through the Environment Canada Ecological Gifts program. This process, based on previous comparable projects, can take 5 to 18 months to complete and can carry more costs associated with appraisals and surveys. The advantage is that the tax receipt can be applied more generously over a longer period than a normal tax receipt, and there is no taxation of any capital gain on the disposal of the property.

### **Bequests**

Landowners may elect to provide for a gift of land in their Will – perhaps as a personal or family legacy. The main benefit of arranging a bequest is that there is no cost during the landowner's lifetime. A bequest can be cost effective from a tax perspective for the estate (note: this applies to donation only). Complications may arise, however, if the Will is contested by family members, risking the possible loss of the property. In light of these limitations, a life interest agreement/lease back arrangement can be a more certain alternative both to the donor and to *rare*.

### **Life Interest Agreement/Lease Back Arrangement**

When the vendor/donor wishes to retain an interest in the property, they can enter into either a 'life interest agreement' or a 'lease back arrangement' for their continued use of the property (e.g. firewood, hay harvesting, maple syrup operation). The land can be donated, purchased or split-receipted. The value of the retained interest would be determined by a qualified appraiser. The agreement would specify a set term or continue for as long as the vendor resides on the subject property.

Although 'life-interest' suggests a time period equivalent to the landowner's lifetime, it is prudent to state a timeframe in the agreement and specify an expiration date of the term.

### **Split Receipt**

A 'split receipt' can be viewed as either a donation of land (or conservation easement) with cash consideration back to the donor, or a purchase of land with a donation of land value in cash back to the purchaser. Essentially, the vendor agrees to sell the property at less than market value and receive the remainder of the value in the form of a tax receipt. Through the Ecogifts Program, the donated portion must be a minimum of 20% of the appraised value to qualify for a split receipt. Conversely, the landowner cannot receive more than 80% in cash. Split receipt should only be offered as an option if the prospective landowner refuses to consider all other donation options to maximize the gift potential for the charity.

### **Trade Lands**

Trade lands are similar to donations where a landowner wishes to donate or bequeath their property; however, in these instances the property lacks any significant environmental features. These lands should be treated like stocks or annuities that a donor offers so the charity can sell off the asset, with the proceeds being directed into land securement of ecologically significant lands or as directed by the donor. The land could also be traded with another landowner's environmentally significant lands.

### **Exchanges**

Landowners who own property within a valley system, floodplain, or environmentally sensitive feature with little or no development potential may exchange their parcel with a less environmentally sensitive area, usually within the higher, drier tableland. These arrangements may bring funds to *rare* since the landowner's land is likely to have lower monetary value, and thus additional cash must be offered to make the exchange fair. Such additional funds can be used to acquire additional conservation lands or be put into a stewardship endowment fund. While these transactions traditionally involve the exchange of fee simple interests, they can consist of any combination of property interests. Note that land exchanges are not necessarily acre for acre. Any exchange would be based on appraised value, as valleylands would not be valued the same as developable tableland.

Exchanges should be considered when of significant strategic advantage for protecting natural heritage lands. Before spending money on appraisals in an exchange, it is essential to ensure that the landowner is informed that conservation land value can be much less than tableland or agricultural land value. However, government policies for land conservation tend to be predicated on flood plains or other hazard lands, leading to a predominance of such lands held for conservation, while other "prime development land" types are generally under-represented. Hence, land securement efforts should counter-balance these trends where appropriate, and projects need to be assessed on a case by case basis, as there may be conservation value in lands that would otherwise be considered for a land exchange.

### **Option to Purchase & Right of First Refusal**

An 'option to purchase' is a contract that allows the recipient to buy a property at a set price for a stipulated period. It is a written contract by the landowner to sell the property and not withdraw this offer during the identified term. The recipient pays a consideration fee for this option of up to \$10,000. This mechanism is often used by a conservation group as a means of 'buying time' to acquire a specific piece of land, creating an opportunity to fundraise for the purchase costs. This is an agreement between a landowner and the recipient, or other prospective buyer, which gives

the recipient an opportunity to match any third party offer to buy a property. It sets out the conditions of sale and is registered on title. This method is considered an interim measure and can be an effective tool to use when negotiations have halted (e.g. because of an unacceptable appraised value). It can also afford time for the recipient to purchase a property that already has an easement in cases where the recipient decides they would rather hold title than enter into an easement.

The 'right of first refusal' is another method used to discourage competing potential buyers (e.g. developers). The holder of the first right has priority and therefore maintains some leverage against other potential buyers. There is a fee associated with this method and there is no expiration date. It can only be exercised when the landowner decides to sell.

### **Land Transfers**

Public landholding agencies such as the Ontario Realty Corporation, utility companies, municipalities, or conservation organisations could decide to transfer environmentally sensitive lands or ask an organisation to be a backup holder for their lands, should the agency cease to exist in the future. These lands could either be fee-simple title or partial interest (e.g. conservation easement agreement). These types of transfers only occur if the recipient organisation is willing to accept the lands, and the lands meet the organisation's criteria. The agency looking to transfer title may require the recipient organisation to sign a landholding agreement or transfer agreement to ensure that the lands are properly managed in perpetuity. It would be prudent for the recipient of transferred lands, or a contingency holder, to only accept the land if the agency transferring can offer complete and accurate files and if stewardship funds are available as part of the transfer.

### **The Ecological Gifts Program**

The Ecological Gifts Program is a federal program administered by Environment and Climate Change Canada, made possible by the Income Tax Act of Canada. It enables owners of property with sensitive natural features to preserve wildlife habitat. Ecological Gifts are qualified charitable land donations that generate enhanced income tax benefits. Donations of fee simple title and partial interests, including easements, are eligible. In many scenarios the landowner can continue to hold title and/or live on the land.

To qualify as 'Ecologically Sensitive,' land must satisfy at least one criterion from an 'A' List of Specific Categories of Qualified Lands and one or more from a 'B' List of General Criteria for Other Ecologically Sensitive Lands (see Appendix A).

Gift recipients include land trusts and other conservation charities or government agencies chosen by donors and approved by the federal government. Donors of Eco gifts receive a donation receipt for the fair market value of the gift.

Ecogifts receive tax treatment that is superior to most other charitable gifts. Ecogift tax advantages include:

- eliminated taxable capital gain on the disposition of the property;
- no income limit for calculating the tax credit/deduction;
- donation value certified by the Government of Canada; and
- a 10-year carry-forward period for claiming the donation.

The process of making an ecological gift is relatively straightforward. The donor will basically have two steps to complete, by providing: (i) information to support the evaluation of the land as ecologically sensitive, and (ii) an appraisal of Fair Market Value by a qualified appraiser along

with a signed Application for Appraisal Review and Determination. The donor and recipient will generally cooperate on the application to confirm that the property qualifies as ecologically sensitive. The recipient will also often help the donor arrange for the appraisal of fair market value and complete the applications.

### **Identifying Securement Opportunities**

This Strategy will be utilized as a land securement planning tool kit. Mapping of land securement criteria and property scoring results should not be treated as a 'shopping list' for *rare*, to focus efforts on the highest scoring properties and move down the list. Rather, this Strategy lays out a range of tools which would allow *rare* to make clear land securement decisions based on established criteria. A property that does not score highly within the established criteria may still offer an excellent securement opportunity. Scoring guidelines also provide *rare* with the rationale to decline prospective offers based on suitability. Note that data for the City of Guelph was not available at the time of this document's creation. The maps should be amended in future once data becomes available, but as most lands of interest lie outside the city limits, any projects in Guelph will need to be assessed separately on a case-by-case basis.

The Strategy scoring of Designated Land Areas (DLA) and Designated Conservation Lands (DCL) was developed by *rare* staff. From the criteria, properties scoring in the 90 and 95 percentiles were considered highest-scoring.

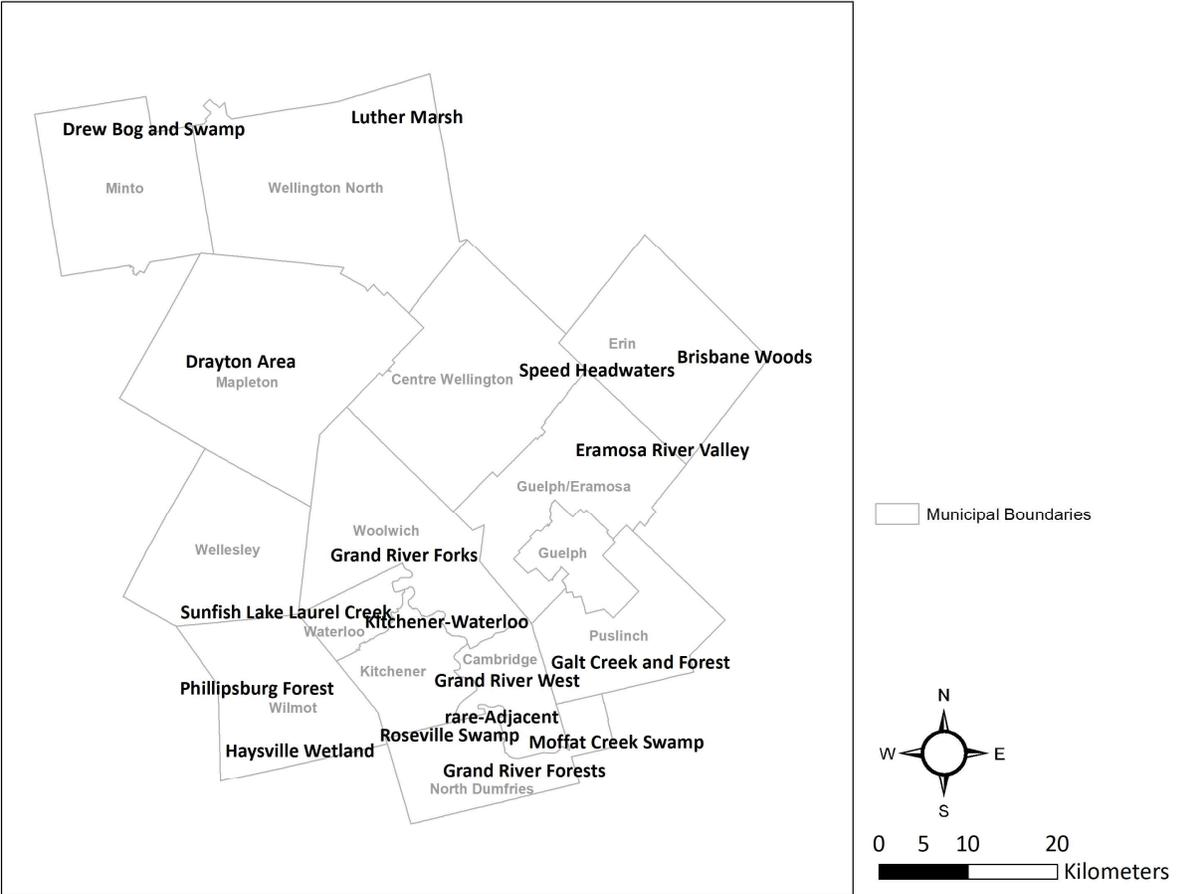
### **Establishing Target Areas**

With so many properties potentially eligible for securement, a manageable landowner outreach plan requires a strategic approach to organizing information. Highest-scoring properties were grouped by ANSIs and PSWs and further combined with a focus on already-designated natural areas, an approach intended to foster receptiveness and understanding among landowners, the community, partners and funders.

Waterloo Region and Wellington County still contain too many natural areas to execute a manageable landowner outreach and securement program within the first five years without further winnowing. To determine the most logical areas of focus, the following additional criteria were applied:

- geographical dispersion (coverage over every municipality),
- manageable number of properties to perform landowner outreach,
- a close concentration or adjacency of properties,
- threatened status or urgency, concerning areas likely to be developed soonest,
- proximity to properties newly acquired or about to be acquired, and
- likelihood of being acquired by other conservation organisations.

The result was the establishment of 17 target areas which are shown on Map 1.



**Map 1: Target Natural Areas Map**

**Table 2: Number of Properties per Target Area**

<b>Natural Area</b>	<b># of properties</b>
Drew Bog	14
Luther Marsh	7
Drayton	14
Speed Headwaters	81
Eramosa Valley	49
Brisbane Woods	18
Galt Creek and Forest	17
Grand River Forest	18
Roseville Swamp	11
<i>rare</i> -Adjacent	7
Kitchener-Waterloo	35
Grand River West	28
Grand River Forks	15
Phillipsburg Forest	17
Haysville Wetland	7
Sunfish Lake-Laurel Creek	29
Moffat Creek Swamp	10
<b>Grand Total</b>	<b>377</b>

### **Setting Securement Targets**

The Strategy defines desirable outcomes and establishes the rationale for the initiative. It provides a context and driver for specific actions. Establishing targets provides the Strategy with direction and identifies the required resources for fulfilment. In turn, resources can dictate how to implement the Strategy, but often resources do not present themselves until a Strategy has been adopted, once individual projects have formed with specific fundraising plans and supporter prospects. Once a successful project concludes, targets set out in the Strategy get closer and momentum is created. Success then generates more success.

At one end of the implementation spectrum, with only enough budget allocation to support a portion of staff or contractor time to undertake the securement process, this Strategy could be implemented by relying solely on the acceptance of land and conservation easement donations. Donations would be accepted in areas identified in the Strategy and if competing donations were presented, staff time would be prioritized towards determining which donations best meet the established criteria. This would over time achieve the objectives of the Strategy, but at a slow pace.

Conversely, at the other end of this spectrum, *rare* could dedicate a significant, year-over-year budget towards land securement, targeting willing sellers and proactively approaching landowners with lands of high interest. This approach could rapidly increase the success and speed with which objectives of the Strategy could be met, but represents a significant financial commitment to purchase several properties annually.

A blended approach over shorter time spans is likely the most feasible approach, with some years reliant on donations and perhaps one annual purchase. In other years, a dedicated budget combined with successful fundraising campaigns could allow for multiple purchases per year in concurrence with land and easement donations. Provincial and other funding initiatives may further influence the methods and speed with which the Strategy can be implemented. Emerging threats to ecologically significant land, changes in government policy, etc., might influence which strategy is employed at different times.

Regardless of how the Strategy is implemented, it is of some value to consider metrics against which progress can be measured. These targets are not measures of success or failure, nor do they establish an 'end point' to which all efforts should be targeted. Rather, they provide a context against which progress can be viewed. Targets provide a snapshot of activity that can be readily measured, easily understood and linked to drivers of the Strategy.

Provincial and national targets in the 2020 Biodiversity Goals and Targets for Canada suggest that, "[by] 2020, at least 17 percent of terrestrial areas and inland water, and 10 percent of coastal and marine areas, are conserved through networks of protected areas and other effective area-based conservation measures" (Ministry of Environment and Climate Change, 2016, Aichi Target 11).

The total secured land within the Waterloo-Wellington area is approximately 2.5% of the whole; that 2.5% includes properties held by *rare*, Grand River Conservation Authority, Credit Valley Conservation, Conservation Halton, Ontario Heritage Trust, Ontario Farmland Trust, the Waterloo Region with all seven townships and three cities (Kitchener, Cambridge, Waterloo), and Wellington County. Thus, it would be highly unrealistic for *rare* and all its securement partners to meet the 2020 target date for securing over 14.5% more land in the area. Even if resources were unlimited and every identified landowner was willing to have their land secured, the maximum increase in land area secured would only be 9.42% of the total Region and County area (37,626.62 ha out of 399,405.98 ha). Thus, like most areas in Southwestern Ontario, the biodiversity target is not achievable for the Waterloo-Wellington area but can be used as a driver. It is also a somewhat arbitrary number given that it is well established in the scientific community that a 17% target of protected areas is not nearly enough to ensure survival of most habitats and species in the long term.

The average parcel size of the 1,476 identified properties in the Waterloo Region and Wellington country is 25.49 ha. Without a review of air photos, the exact areas to be conserved are undetermined, but the safe assumption is that most parcels will not be entirely vacant, leaving only a portion available for conservation. That remaining portion is likely to be the larger part of the property, however, since these lands have been targeted for natural features that landowners generally cannot use. Adjusting for partial takings, using roughly 10% subtracted from parcel size, reduces the predicted secured area per property down to a 23 ha parcel.

Based on experience with similar efforts in other municipalities, an estimated 10% of landowners contacted would be interested in working towards securement. Not all projects come to fruition for a variety of reasons, most often because a landowner is disappointed with the appraisal. By a conservative estimate, land ultimately will be secured from 5% of the landowners contacted. This brings the future predicted secured area to almost 1,700 ha, albeit years beyond the five-year scope of the report; 20 years is realistic. The first three years after the adoption of this strategy will be primarily spent on outreach. Few securement projects are likely to close in the first years

but as more landowners become aware of **rare** as the regional land trust and are educated about their land conservation options, closings will ramp up.

With reliable support from funders and municipalities, and a highly active landowner outreach program, an achievable yet aggressive target can be:

to secure over 400 ha of properties of interest by the end of 2024.

This target should be reviewed (and hopefully increased with momentum) in five years when updating this Strategy.

### **Landowner Outreach**

A primary goal of the Conservation Land Securement program is to educate identified landowners about the various long-term conservation options available to them. Most landowners only know about two options when it comes to disposition of their land:

- Sell it
- Bequeath it to family

As property is often a landowner's largest financial asset, a landowner may take several years to make the big decision about how to protect that property for the long term. Even if a landowner does not express interest in the various conservation options available to them at this time, the landowner now has increased awareness about conservation options should they change their mind in the future. As in fundraising, approaching people for land donations also requires patient cultivation. Building relationships of trust is essential. It could be many years later when a landowner becomes ready to consider securement.

Over the next few years, efforts will be made to promote **rare's** land securement program across Waterloo Region/Wellington. This will include community and council presentations, information sessions, as well as direct one on one landowner outreach and liaison.

### **Developing a Landowner Contact List**

Within each of the 17 target areas, a landowner list needs to be developed. Landowner contact information needs to be collected (e.g. mailing address, phone number) so that packages can be mailed and follow-up conversations can be initiated. Each property identified should be reviewed to determine the individual parcel's suitability and the most desirable securement method. This work is now in progress at **rare**. Contact with land owners will be made through mailings, phone, email and drop-ins. We also welcome landowner leads or other leads, please use the contact information at the end of this document.

Outreach need not follow the natural areas in the sequential order shown in Table 2. Decisions about which zones to prioritize for landowner outreach should be based on urgency and other consideration the **raresites** land securement team identifies. Starting with the target areas with the greatest development threat is the best approach. Therefore, those zones that are closest to Highway 401 would be best. The lowest priority would be those zones furthest north. It may also be appropriate to "strike while the iron is hot," as it were, in localities where a property is in the process of acquisition.

## Securement Project Process

As the only active, environmentally-based organisation in the area pursuing landowner outreach for securement projects, **rare** cannot rely on any other organisation to initiate landowner contact. Yet, **rare** can still approach other applicable organisations for support when an interested landowner expresses readiness to have property secured.

For the first three years following the adoption of this Strategy, **rare** primarily will be performing landowner outreach to targeted landowners in each priority zone. Land securement can still happen concurrently with landowner outreach but few results are expected in the first few years. Seeds get planted in the minds of landowners and then, with time, projects begin to manifest at a relatively fast rate. Further, securement projects take time to process; several months to several years is common, especially with donations.

Following landowner outreach endeavours, some landowners may express an interest in land conservation, which will likely give rise to a site visit, provided the landowner lives on or close to the property. Once a landowner of identified lands expresses an interest in proceeding, **rare** staff will prepare a property evaluation (see Appendix D) with maps of the property and one locator map to provide context.

The property evaluation package is circulated to the **raresites** Land Securement team for consideration. The team at the time of preparation of the strategy consisted of representatives of the following organisations:

- **rare** Board and staff
- Ontario Ministry of Natural Resources & Forestry
- Nature Conservancy of Canada (NCC)
- Six Nations of the Grand River (currently vacant after retirement of Paul General)
- Region of Waterloo
- Ontario Farmland Trust (OFT)
- Waterloo Region Environment Network
- Premier Environmental
- Nature Guelph
- City of Kitchener and Waterloo Stewardship Council
- Waterloo Region Nature
- Grand River Conservation Authority (GRCA)
- Guelph Trails Association

Important parties currently missing from the team are members representing the County of Wellington and the Ministry of Environment, Conservation and Parks and the Mississaugas of the Credit First Nation. We welcome additional suggestions for participation.

## Project Approvals

It is recommended that the team develop two property securement lists. List One would outline 'active' properties for securement, and List Two would identify 'potential' properties for securement. The list of potential securement opportunities is developed first and will include those new properties that have been brought to the attention of the organisation and warrant further consideration. Once a candidate property has been identified, a property evaluation involving desktop analysis and, where necessary, field investigation will be undertaken. This will provide an assessment of the property's ecological significance in the context of the priority areas

identified. Further assessment will be needed to determine whether *rare*'s desire to acquire the property and the landowner's interest in working with *rare* are likely to develop into a mutually acceptable transaction. This transaction could take the form of a fee-simple purchase, donation, split-receipt, easement, etc. Depending on the property history and preliminary site evaluation, additional environmental studies may also be required (e.g. Phase 1 and 2 Environmental Assessments).

Properties that have been moved onto the active list will then be pursued for securement upon review and recommendation by the team to the Board and board approval. Ranking properties of interest will involve identifying the funding source or program to secure the property, whether it is a purchase, easement or donation. Once the funding is determined, the organisation will proceed to secure the property (e.g. negotiate agreement, obtain appraisal, commission survey, etc.).

### **Due Diligence**

Once a target property's landowner has expressed interest in working with *rare* or a securement partner to conserve or sell the land, there should be additional assessment based on receiving the documentation specified below and reviewing the following information:

- Confirmation of ownership to ensure the correct representative is negotiating. This can be done in a preliminary title search or by obtaining a recent copy of property tax form from the owner.
- Signed Letter of Intent to confirm the landowner's intent to proceed with the project. This can be drafted and given to the land donor/vendor for convenience (see Appendix E).
- If it is a donation, appraisal to determine fair market value to meet Ecological Gifts Program standards; if it is purchase, appraisal to determine fair price. Exceptions can be made in cases of purchases where there is a high degree of confidence in values of recent comparable sales.
- Existing survey if available; otherwise, commission a survey by an Ontario Land Surveyor (OLS) in cases where boundaries are in question, if required by funding partner(s), or if the securement method is a partial taking, conservation severance, or conservation easement.
- Site inspection during a time of no snow cover. If deemed necessary from that inspection, a Phase 1 Environmental Assessment may be done.

The intent behind this consideration is to identify costs for undertaking due diligence, not to evaluate or predict outcomes for future work. A project requiring a survey and appraisal will be less favorably weighted than a project that does not require these steps and their related costs. Regardless of the nature of the securement, moreover, the process of due diligence may identify concerns with a property that impact its attractiveness, for example, by identifying undesirable encroachments, debris, or legal encumbrances.

### **Title Search**

A title search produces documents showing the property's ownership history to determine any restrictions on title and if the landowner in question has a saleable interest in the property.

### **Letter of Intent**

It is in the best interest of *rare*'s time and resources to obtain a 'letter of intent' from the landowner about a potential securement project before spending the time and money on an appraisal. Its wording should not be too strict, to prevent alienating the landowner, but it may be helpful in gauging a landowner's real interest. In return, *rare* can also provide a letter of intent to accept a land donation.

## **Appraisals**

Appraisals determine the value of the land to be acquired. From the land securement principles listed above, when purchasing land, allow a flexible 10%+/- variation in purchase price to get the deal done. Ultimately a willing buyer and seller determine fair market value. Prior to commissioning an appraiser, the landowner's expectations should be close to the likely outcome of an appraisal. If far apart, further negotiation is advised.

In addition to the standards noted above, to qualify for the Ecogifts Program and potentially other funding programs, "all appraisals must be at arm's length from the parties to the transaction [...] similarly, appraisals done by the recipient are not acceptable" (Environment Canada, 2005, p. 2). Since the majority of *rare's* securement projects would apply to one or more of these programs, the appraisal must be done by an independent contractor. To ensure the appraisal meets the specifications of the funders' appraisal Terms of Reference, *rare* should distribute the Ecological Gifts Program Appraisal Terms of Reference to the independent contractor in any applicable cases. Multiple Terms of Reference are often so closely aligned that there is no issue of one conflicting with another.

As comparable conservation land value data ('comps') is accumulated from several closings, a price per acre value from strong comps may be enough in some cases to make an offer if fee simple purchase is the only option the landowner will consider. If staff have strong confidence in land value, the need for an appraisal may be deemed optional, however, this would be a highly unusual case as usually an appraisal is necessary to apply for certain fundraising opportunities.

## **Legal Considerations**

In land transactions, *rare* should retain their own legal advice from a lawyer or notary experienced with real estate law. It should also suggest that the landowner(s) also involved in the transaction receive their own independent legal advice about the transaction, legal documentation and implications. Donations of land, and split-receipts, are considered friendly transactions and if the landowner wishes *rare's* legal representative to close on the landowner's behalf as well, it could save time and the landowner's money.

## **Land Survey**

In most cases, a survey should be conducted to clearly determine the exact boundaries of the property being acquired. A new survey is always required if a partial taking, conservation severance, or easement is negotiated. In cases where an entire property is being acquired, a copy of the original survey may be enough.

## **Baseline Documentation Report (for Conservation Easement)**

A Baseline Documentation Report is created for conservation easements to document the existing conditions at the time of acquiring the easement. Such baseline data is invaluable when periodic monitoring is carried out in subsequent years. This is usually performed after the easement has been found acceptable to lawyers of both parties.

## **Partners**

It is important to note that *rare* will need to rely on partners to support its securement initiatives and also to work as a partner to support others in their securement initiatives. This Strategy indicates where *rare* will work to secure land itself by holding title or the easement over the property, and where *rare* acts as a supporter. Acting as a supporter could involve lands identified within this Strategy, but it may also include lands beyond the scope of this report that hold value for a partner.

It is very common for a land trust to have one or more partners involved in the securement of a particular property. Sometimes additional partners are needed for funding purposes or if they have additional expertise (e.g. negotiating leverage) necessary to help secure a property. In cases involving title or an interest in title, a partner group sometimes may be a more suitable recipient than the original group involved in protection of the property, perhaps because they are better equipped to handle issues around property taxes, stewardship, funding requirements, or other concerns related to the Planning Act. A landowner may also request another group's involvement due to personal preferences. Different partners bring different resources for the long term and sustainable management of properties. The circumstances will depend on the unique characteristics of the property, the type of securement method involved, and the requests of the landowner (depending on whether it is a donation or purchase).

Partners exist in many different capacities and relationships with **rare**. It is also important to work with area partners to avoid duplicating efforts and confusing landowners. As it is very common to have multiple partners involved in the securement of properties of mutual interest, it is essential to develop and expand on partnerships with these and other organisations involved in holding title or providing funding for the acquisition of significant lands.

It is important to note that any partnership involvement that **rare** has in the securement of a property should be viewed as a securement success. This is also referred to as an 'assist'. An assist can include the involvement of **rare's** staff time, resources, technical expertise or funding towards the securement of a particular property. Even if **rare** does not end up holding title, an interest in title or even managing a particular property, any contribution by **rare** should be recognized and promoted.

### **Securement Partners**

Securement partners will have a desire to assist in funding and/or provide technical support on land securement. They have connections to landowners and operate with a similar land securement mandate to **rare**.

Partners involved in varying degrees of land securement activities in the area of Waterloo Region and Wellington County are:

- Regional Municipality of Waterloo
- County of Wellington
- The Cities of Cambridge, Guelph, Kitchener, and Waterloo
- Nature Conservancy of Canada
- Ducks Unlimited
- Ontario Nature
- Ontario Heritage Trust
- Ontario Farmland Trust
- Grand River Conservation Authority
- Credit Valley Conservation
- Conservation Halton
- Waterloo Region Nature
- Branchton Land Trust

Experience to date has identified a need to work closely with local municipal staff in order to familiarise them with conservation severances, conservation easements, and conservation and landscape design principles, all of which play a role in **rare's** success as a regional land trust.

## Conservation Land Holders in the Area

Holders of secured land in the area are previously listed in Table 1. Many of these lands are held by conservation authorities, the primary one being the Grand River Conservation Authority. Their lands were secured to conserve important watershed resources such as floodplains, valley lands, wetlands, and forest regeneration areas. They also serve as important nodes for future conservation land securement activity, by building on existing secured lands that are publicly visible and well known in the area. Conservation land securement activities may also be embraced by the public more readily if they are located near areas already viewed by the public as 'natural' and 'protected' areas.

## Funding

Receiving funding support is an essential component towards reaching this Strategy's land securement target. The cost of the securement program will be significant. So far, we established that the average donation will cost at least \$30,000 to secure and the average purchase will be at least \$146,000 to secure. With a target of 400 hectares secured in five years, and the average parcel size being 23 hectares, the number of estimated properties secured would be 17. With a ratio between donations to purchases of 20:80, the projected securement costs will be over \$2,000,000 over the five year period, not including stewardship endowments. Given recent market development, this estimate is on the low end and growing costs should be anticipated.

## Conclusion

Population in Waterloo Region and Wellington County is forecast to increase more than 30% in the next 20 years, with development in rural settlement areas expected. It is hoped that ecological lands will be protected by government policy and regulations, but the reality is that these are subject to change. The only certain method to protect these areas is to secure them in ownership or through conservation easements that remove development rights.

The three conservation authorities in this area are not actively approaching landowners of ecologically sensitive lands to advise them of their land disposition options. Until very recently, Waterloo and Wellington have had no local land trust to help secure these lands, leaving *rare* positioned to lead the charge. Of all the land securement partners, only Ontario Farmland Trust (OFT) is actively securing parcels of agricultural land, but OFT is provincially focused and is now only acquiring easements rather than ownership. Thus, landowner outreach and education within this area falls to *rare*.

Using *rare* staff's ecological selection criteria as a base and adding further criteria for refinement, 17 targeted natural areas having 365 properties were delineated for landowner outreach over the next three years. By the end of 2024 a target of 400 hectares should be secured, with commitment to an active outreach program and assistance from securement and funding partners.

With lessons learned, partners' reliability established, and determination of how achievable the target will prove, this Strategy should be reviewed and if necessary revised accordingly in five years, with a new acquisition target for the following five years.

**If you are interested in donating property or receiving more information about possible securement options, please contact:**

Stephanie Sobek-Swant, Executive Director  
519-650-9336 ext. 113  
[stephanie.sobek-swant@raresites.org](mailto:stephanie.sobek-swant@raresites.org)

Tom Woodcock, Planning Ecologist  
519-650-9336 ext. 121  
[tom.woodcock@raresites.org](mailto:tom.woodcock@raresites.org)

## **Acknowledgements**

This work would not have been possible without the generous funding of the Gosling Foundation and the Region of Waterloo. We also thank the numerous skilled and enthusiastic community volunteers who over several years helped shape the **raresites** land securement team, many of whom continue to be part of the team to this day. Our special thanks go to Chris Gosselin, who first started renewed conversations around a regional, community-based land securement effort in Waterloo Region, and to Stan Kozak, who strongly advocated that we not be limited by artificial municipal boundaries, encouraging us to choose a watershed-based approach that also included Guelph/Wellington County instead. We thank David Freure, Harold Freure, David Gascoigne, Paul General, Fraser Gibson, Graham MacDonald, Janice Moore, Rick Relf, Joy Roberts, Matt Setzkorn and Kevin Thomason for their volunteer support during the early conversations, and Kate Hagerman, Chris Gosselin, Greg Michalenko, John Prescott, Tony Zammit, Vince Deschamps, Bill Mungall, Roger Suffling, Graham Buck, Josh Shea, Peter Krause, Krista Long, and Dave Montgomery for their ongoing volunteer support as current members of the *raresites* land securement team, and Rob Orland for his compilation of the draft strategy document.

## Appendix A: Ecogift Eligibility Criteria

### A. Specific Categories of Qualified Lands

Lands, or easements or covenants relative to such lands, which fall into one or more of the following categories shall be deemed to be ecologically sensitive lands in Ontario. This is provided terms of easements or covenants regard and protect the ecologically sensitive features of the land.

- A1. Significant portions of the habitat of federally or provincially listed species at risk, including endangered or threatened species, or species of special concern;
- A2. Areas designated as Provincially Significant Wetlands;
- A3. Provincial or regional Areas of Natural and Scientific Interest;
- A4. Designated Areas of Concern for biodiversity purposes as identified in Forest Management Plans;
- A5. Lands that are registered under the Conservation Land Tax Incentive Program;
- A6. Areas that are registered under the Managed Forest Tax Incentive Program that are managed for wildlife habitat conservation purposes under an approved Managed Forest Plan;
- A7. Areas promoting the conservation of natural heritage and biodiversity that are identified within a regional or watershed plan or strategy developed by a recognized conservation organisation;
- A8. Areas designated as a World Heritage Site for biodiversity conservation purposes, a core area of a UNESCO Biosphere Reserve, or a Wetland of International Importance under the Ramsar Convention;
- A9. Areas of biodiversity significance identified in a Canadian Heritage Rivers Management Plan or Strategy;
- A10. Areas designated in the Niagara Escarpment Plan as an Escarpment Protection Area or an Escarpment Natural Area;
- A11. Areas designated as Natural Core, Natural Linkage, Sensitive Hydrological Feature, High Aquifer Vulnerability, Significant Landform, Minimum Areas of Influence or Minimum Vegetation Protection Zones within the Oak Ridges Moraine Conservation Plan;
- A13. Areas designated for biodiversity conservation purposes within Management Plans or Strategies for the Trent-Severn or Rideau Waterways;
- A14. Areas within a municipal official plan or zoning by-law under the Planning Act (Ontario) designated as an Environmentally Sensitive Area, Environmentally Significant Area, Environmental Protection Area, Restoration Area, Natural Heritage System or other designation for similar purposes that are compatible with the conservation of the biodiversity, ecological features and functions of the site;
- A15. Areas within or adjacent to a Provincial Park, Provincial Park Reserve, Conservation Reserve, Conservation Area, Wilderness Area, Provincial Wildlife Area, National Wildlife Area, Migratory Bird Sanctuary, National Park, National Park Reserve or Ecological or Nature Reserve managed by a government or non-government agency;
- A17. Areas identified as Carolinian Canada sites or Carolinian core natural areas and corridors as designated by the Big Picture natural area mapping program;
- A18. Areas designated as Core Natural Area, Natural Area Buffer, Natural Area Link, or Valued Ecosystem Component in the National Capital Greenbelt Master Plan by the National Capital Commission; and
- A19. Areas designated for biodiversity purposes by regional agencies such as the Niagara Parks Commission, St. Clair Parkway Commission, St. Lawrence Parks Commission and the Waterfront Regeneration Trust.

## **B. General Criteria for Other Ecologically Sensitive Lands**

Lands, easements or covenants relative to such lands, that meet one or more of the following general criteria may also be considered to be ecologically sensitive lands in Ontario—subject to the approval of the federal Minister of the Environment or a person delegated by the Minister for this purpose. (The term "significant" for the purposes below refers to definitions provided in Provincial Policy Statements.) This is provided terms of easements or covenants regard and protect the ecologically sensitive features of the land.

- B1. Significant habitats such as alvars, prairies, cliffs, Great Lakes coastal habitats, old growth forest areas, glacial relic communities and sites with enduring geological features that contribute to biodiversity;
- B2. Areas of wildlife concentration such as bat caves, snake hibernacula, heronries, deer wintering yards and sites used by migratory water birds and other species for seasonal staging, feeding, breeding and like purposes;
- B3. Areas identified, designated or protected as ecologically significant or ecologically important by a government or non-government local, provincial, national or international system or body;
- B4. Significant water bodies, rivers, streams, shorelines, valleys, wetlands, groundwater recharge areas, headwaters and aquifers;
- B5. Significant wildlife or fish habitats;
- B6. Significant woodlands;
- B7. Areas that have significant current or potential for enhanced ecological values through restoration, remediation, management or geographic proximity to other ecologically significant properties;
- B8. Natural buffers and adjacent lands around areas identified under other ecologically sensitive lands categories or criteria that contribute to the conservation of biodiversity;
- B9. Natural links or corridors between areas identified under other ecologically sensitive lands categories or criteria that contribute to the conservation of biodiversity;
- B10. Areas used for long-term scientific study or baseline and benchmark monitoring of biodiversity; and
- B11. Areas that contribute to Canada's environmental heritage through the maintenance of the genetic diversity of species, ecosystem health, or landscape biodiversity, and other natural spaces of significance to the environment in which they are located.

The categories and criteria listed above, for the purposes of implementation of provisions in the Income Tax Act for ecological gifts, have been agreed to by representatives of the Governments of Ontario and Canada. This list and criteria may be further elaborated and amended by agreement between Environment Canada and the Ontario Ministry of Natural Resources.

## Appendix B: Ecological Selection Criteria

### Practice 8B. Project Selection and Criteria

The following document describes the project selection criteria of the **rare** Charitable Research Reserve (hereafter called **rare**), a registered charitable land trust and environmental institute. This process uses a series of worksheets and templates that are attached separately, to identify potential parcels, to evaluate properties in more detail once they have become a potential project (i.e. a possibly willing donor or seller has been identified), and finally to conduct more rigorous analysis for bringing the property into the Ecological Gifts Program and beginning to prepare an Environmental Management Plan (see practice 12C) once the process of closing the transaction has begun.

The charity currently stewards five parcels of land in the City of Cambridge and Township of North Dumfries in the Region of Waterloo. In the long term, **rare** is interested in expanding its land base through purchase or donation, through such mechanisms as bequests, private donations, or transfer from individuals or businesses as a charitable donation, or through the negotiation of conservation easements. These additional properties, held in trust for the purposes of environmental conservation, research, and education, will collectively be known as **raresites**, with the intent that the expanded organisation facilitates **rare**'s activities more broadly in the Region and beyond. There are opportunities to seek advice from friends of **rare** with experience in making these arrangements. As a qualified Ecological Gifts program (EGP) recipient, **rare** hopes to maximize protection of desirable land by focusing efforts on donations and bequests that minimize the organisation's required fundraising to cover purchase, stewardship, and other ancillary costs.

The **raresites** procedure to identify appropriate lands for acquisition will be similar whether the lands are intended for preservation, rehabilitation or restoration, or other appropriate activities such as research or educational uses. Parcels of land are considered particularly desirable if

- they are contiguous with the current property,
- they are contiguous with existing protected areas, parks, conservation areas, etc.,
- they present opportunities for research in restoration and rehabilitation of lands (for example, mined-out aggregate pits) and
- they would secure portions of existing land features not entirely on **rare** property, or mitigate stress to existing landscape features through a variety of buffer mechanisms (e.g. wildlife corridors, safe wildlife crossings, stormwater or groundwater management, etc.).

The lands will be identified according to the following Steps. Supporting procedures and evaluation templates are also included as a part of this practice:

1. In a particular area, such as a Region or County, air photos and geospatial data (woodland, wetland, other relevant regulatory or natural heritage data layers) will be acquired. The parcel fabric, showing the boundaries of properties in the area of interest, will be acquired from the local county or municipality planning Office. This will likely require signing of a data sharing and confidentiality agreement between the relevant municipal authority and **raresites**, and the supplied polygons will likely be stripped of identifying data that would facilitate future contact with potential landowners. Areas containing Desirable Conservation Land (see attached Remote Land Evaluation Procedure) will be identified by adaptation of the **raresites** GIS tool.
2. Desirable Conservation Land will be evaluated through observation of air photos and geospatial data, and by evaluating the **rare** score results of the Remote Evaluation Procedure. Following identification of concentrations of Desirable Conservation Land

parcels, campaigns can be initiated to educate landowners about how they may benefit from Ecological Gifts Program donations of property or easements, or other conservation tools at their disposal.

3. Once an opportunity to acquire Desirable Conservation Land has been identified by this or other means, the land must be evaluated. At this stage, an overview of the property must be conducted in order to provide the **raresites** Land Securement Team and the Board of Directors with sufficient information to guide the acquisition. This will be done using three templates (attached), readily available from the Ontario Land Trust Alliance resources website. These include the Preliminary Assessment and Criteria Evaluation worksheets, which provide basic information about the property, and the Natural Values worksheet, which provides a more detailed assessment of significant natural heritage features, restoration potential, identified stewardship issues, etc.
4. The property must meet several additional conditions, in order that it does not become an undue financial burden to **raresites**. Unless otherwise determined by the Board of Directors, the charity will not assume ownership of any structures, including residences, barns, sheds, and so forth. Land bearing these structures must be duly severed from the parcel and either disposed of separately, or remain in the donor's possession. In addition, a Stewardship Fund must be established for the property, amounting to no less than 20% of the property value, to function as an endowment for the upkeep of the donation. If this sum is not included as part of the donation, **rare** must reasonably expect to accumulate the necessary sum for the purpose through fundraising activities prior to the deal closing. Furthermore, this endowment is external to costs associated directly with property acquisition, including title investigations, real estate or ecological appraisals, and any other taxes or fees that may be applicable as part of the purchase process.
5. Once land has been approved for acquisition, it will require an Ecological Sensitivity Assessment (see included template) in order to qualify for an EGP donation; **raresites** can assist with the process to gain more detailed knowledge of the property, and begin to develop its stewardship and management plan.

# APPENDIX C

Reep Green Solutions

20+ YEARS OF COMMUNITY ACTION

## IMPACT REPORT



- Urban Forest + Tree Stewardship
- Stormwater Management + Water Conservation
- Depave Paradise
- Home Energy Efficiency + Project Neutral
- ClimateActionWR
- Community Outreach | Workshops + Zero Waste Challenge
- Fundraising
- Financials

# URBAN FOREST + TREE STEWARDSHIP

Our Tree Stewardship program was launched this year, in partnership with the City of Cambridge and the City of Kitchener. The goal is to empower residents to care for trees and take on a stewardship role in maintaining the urban forest.

Our key focus is on education so that residents become good stewards of the trees in our community. Homeowners are also able to participate in a subsidized tree planting service.

The Backyard Tree Planting program includes a consultation with an arborist to select the right tree for the right place. Delivery and planting are included and homeowners are shown how to care for their tree(s) into the future.

Through our workshops, over 160 participants have learned how to sustain our urban forest. We've also worked with 96 homeowners in our Backyard Tree Planting Program to provide education on tree care and plant 77 trees in backyards around Kitchener and Cambridge.

96

TREE CONSULTATIONS  
WITH PROPERTY OWNERS

77

TREES PLANTED IN YARDS

5

EDUCATIONAL  
WORKSHOPS

167

WORKSHOP  
PARTICIPANTS

2

MUNICIPAL PARTNERS



# STORMWATER MANAGEMENT + WATER CONSERVATION

Our Home Water Auditors visited more homes for water conservation improvements than ever before, thanks to our partnership with the Region of Waterloo. Our advisors installed solutions on the spot to help conserve water in 300+ homes over the past year alone.

Over 700 participants at 19 events learned the impact of conserving water and creating rain gardens that reduce stormwater runoff. This past year the wider community of 96 volunteers dug in and joined us at 4 work parties to create beautiful gardens and plant trees. With the support of municipal partners in Kitchener, Waterloo, Cambridge and Guelph, we're educating people through workshops and one-on-one coaching to manage rain where it falls and make our communities more resilient to the impacts of climate change.



**95,400+**

LITRES OF STORMWATER STORAGE CAPACITY BUILT

**9,200+**

EDUCATIONAL WORKSHOP PARTICIPANTS

**193**

VOLUNTEERS

AT

**8**

WORK PARTIES

**242**

CONSULTATIONS W/ PROPERTY OWNERS

**65**

RAIN GARDENS, PERMEABLE PAVE + INFILTRATION GALLERIES INSTALLED

**1,300+**

WATER CONSERVATION HOME AUDITS

WATER CONSERVED IMMEDIATELY BY INSTALLING:

**692**

SHOWERHEADS

**175**

AERATORS

**94**

TOILET FLAPPERS

\*IMPACT SINCE INCEPTION\*

# DEPAVE PARADISE

Depave Paradise is a nation-wide movement started by Green Communities Canada. The goal is to dig up underused paved spaces and turn them into lush green landscapes for communities to enjoy.

This year Reep supported the depaving of 2 local spaces, working with the New Hamburg Board of Trade and Keatsway Public School.

73 volunteers got their hands dirty, pulling up pavement and planting native species gardens. It was exhilarating to see parents, students, teachers, business owners and residents rip up 150 square meters of underused hard surfaces and turn it into beautiful green space for everyone to enjoy.

290+

METRES OF IMPERVIOUS  
SURFACE REPLACED WITH  
GREEN SPACE

132

VOLUNTEER DEPAVERS -  
COMMUNITY MEMBERS,  
TEACHERS, STUDENTS, PARENTS

3

LOCAL SITES DEPAVED SINCE 2019

## CHECK OUT OUR DEPAVE PARADISE PROJECTS



KEATSWAY PUBLIC  
SCHOOL



DOWNTOWN  
NEW HAMBURG



# HOME ENERGY EFFICIENCY + PROJECT NEUTRAL

Our energy programs focus on the practical ways residents can reduce their climate impact at home. Thanks to funding from the Region of Waterloo, and additional support from the University of Waterloo, we were able to bring the Project Neutral tool to over 900 households in the region, representing 2,500 household members.

Our team also partnered with Eastwood Collegiate Institute in Kitchener to pilot a “Project Neutral Challenge” that will engage multiple classrooms in measuring their household carbon footprints and taking action. The long-term plan is to bring this challenge to the wider student community.



[WATCH WHAT IS PROJECT NEUTRAL?](#)



[TAKE 5 MINUTES TO DISCOVER YOUR CARBON FOOTPRINT](#)

**9,500+**

HOMES THAT COMPLETED ENERGY RETROFITS

**27,000+**

TONNES OF GREENHOUSE GAS EMISSIONS REDUCED

**\$7M+**

ESTIMATED SAVINGS ON ENERGY COSTS AFTER UPGRADES

**\$54M+**

SPENT LOCALLY ON HOME ENERGY UPGRADES

**146**

PARTICIPANTS AT WORKSHOPS IN BUSINESSES, SCHOOLS, AND COMMUNITY GROUPS.

**1,500+**

PROJECT NEUTRAL USERS

\*IMPACT SINCE INCEPTION\*

Additionally, the estimated 27,000 tonnes of greenhouse gas emissions that Waterloo Region households have reduced by following Reep Green Solutions' home energy recommendations contribute directly to our local climate action plan and help to promote sustainable living.

Our energy outreach continues with promotional support from the Region of Waterloo, including the opportunity to promote Project Neutral on library screens and in the THEMUSEUM's ALARM exhibit.

# ClimateActionWR

ClimateActionWR is a collaboration between local municipalities, organizations and community members focused on climate change mitigation, and is co-led by Reep Green Solutions and Sustainable Waterloo Region.

We coordinate the activities of our community's Climate Action Plans, measure and monitor progress on emission reductions, and engage the community in climate action initiatives. This year marks the last of our current climate action plan, to reach 6% greenhouse gas emission reduction over 2010 numbers, by the end of 2020.

In early 2019, ClimateActionWR received funding from the Federation of Canadian Municipalities to develop Waterloo Region's long-term community Climate Action Strategy and short term plan.

All 8 local area municipalities signed on to the Transition 2050 team including the Townships of North Dumfries, Wellesley, Wilmot and Woolwich, the Cities of Cambridge, Kitchener and Waterloo, and the Region of Waterloo.

Alongside community members, local organizations, subject matter experts, and technical experts from across the region and beyond, we are working to develop a plan for transitioning Waterloo Region to the goal of 80% reduction of GHG emissions by 2050.

1,500+

COMMUNITY STAKEHOLDERS  
ENGAGED THROUGH  
80 BY 50 ACTIVITIES

80

EXPERTS CONSULTED FOR  
80 BY 50 COMMUNITY  
GOAL

124

SECTOR COMMITTEE  
MEMBERS

45

CLIMATE ACTION COMMITMENTS  
FROM THE COMMUNITY

70

COMMUNITY EVENTS  
VISITED BY STREET TEAM

95

VOLUNTEERS

\*IMPACT SINCE INCEPTION\*



# COMMUNITY OUTREACH

## EVENTS, WORKSHOPS + ZERO WASTE CHALLENGE

Reep Green Solutions reached an important milestone this year, and held our biggest community event yet to celebrate it. The Fresh Air Feast was an outdoor, family-focused picnic with activities, delicious food and fun games to celebrate 20 years of Reep Green Solutions and community action. Two hundred people joined in the festivities on a beautiful fall day that we will never forget.

Our 4th annual Zero Waste Challenge kicked off in October, an opportunity to challenge households to reduce their waste to fit into a 1L mason jar for 7 or 30 days. 140 humans and 48 pets took part in the Zero Waste Challenge, sharing their results on social media.

The Reep team continues to reach new people, which is reflected in our biggest outreach in a single year: 2,173 participants joined in our workshops and community events in 2020!

953

OUTREACH EVENTS

16,600+

WORKSHOP PARTICIPANTS

4,800+

VISITORS TO THE  
Reep House for Sustainable Living

524

ZERO WASTE CHALLENGE  
PARTICIPANTS

185.5

PETS TAKING PART IN THE  
ZERO WASTE CHALLENGE

\*IMPACT SINCE INCEPTION\*

## TAKE ACTION



TAKE THE  
ZERO WASTE  
CHALLENGE



EVENTS AND  
WORKSHOPS



# FUNDRAISING IMPACT

It is an offer that more and more people are taking up - the opportunity to support practical, local environmental action. To celebrate 20 years of Reep Green Solutions, we set a goal of raising \$20,000 to kickstart the next 20 years of practical and impactful environmental action in Waterloo Region. And we came close, raising more in one year than we ever have before!

For the last 20 years our participants have been protecting water, reducing their impact, planting rain gardens, diverting waste, and advocating for climate action. Several of our services are unfunded and your support will help us continue to serve our community for many years to come!

It's been an honour to support your sustainability journey for the last 20 years. Thank you for helping to make our work as an environmental charity possible!



Together, we can leave our children a community that is more resilient, vibrant, caring and sustainable.

## THE IMPACT OF YOUR SUPPORT



**20TH ANNIVERSARY  
REPORT**



**WHO WE ARE**



# FINANCIAL REPORT | FY2020

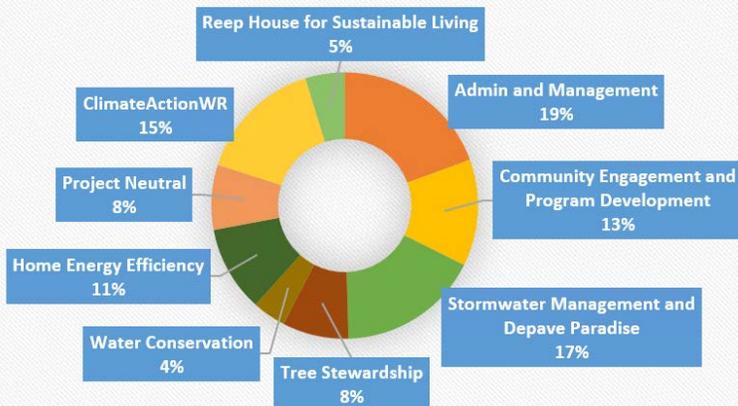
The financial information on this page is derived from the financial statements for April 1, 2019 to March 31, 2020 which were audited by Clarke Starke & Diegel LLP.

Reep Green Solutions returned to a balanced budget this year, as programs in development came to fruition, and as opportunities arose to pursue transformational projects for our community.

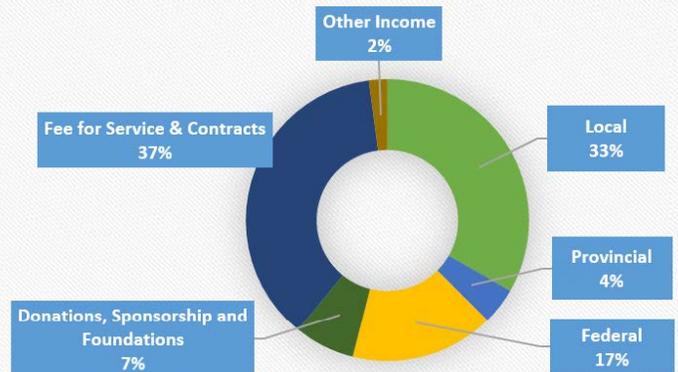
The diversity of our initiatives also contributed to a strong bottom line, along with an increase in donor support.

REVENUE	2019-2020	2018-2019
Grants (Local, Provincial, Federal)	433,410	323,504
Fee for Service	116,547	202,820
Contracts	180,978	114,215
Donations, Sponsorships and Foundations	55,546	43,359
Other Income	16,846	15,680
<b>Total Revenue</b>	<b>803,327</b>	<b>699,578</b>
<b>EXPENSES</b>		
Salaries & Benefits	510,446	511,134
Program Delivery - Contracted Services	154,984	103,525
Outreach & Community Training	24,325	17,830
Occupancy	37,721	33,708
Professional Fees	24,210	22,385
Staff & Org. Development	9,952	11,053
Office	6,228	7,815
Insurance	7,984	7,555
Amortization	1,272	1,319
Communications	3,181	3,325
Interest & Bank Charges	4,159	3,112
Travel	1,917	2,217
<b>Total Expenses</b>	<b>786,378</b>	<b>724,979</b>
Excess of Revenue over Expenses	<b>16,948</b>	<b>[ 25,401 ]</b>

## EXPENSES BY PROGRAM



## REVENUE SOURCES



# THANK YOU TO OUR PARTNERS AND FUNDERS

## Our Core Funders



## Urban Forest + Tree Stewardship



## Stormwater Management + Water Conservation



## ClimateActionWR



## Energy Programs | Home Energy + Project Neutral



## Depave Projects



## Community Outreach | FRESH AIR FEAST





# IMPACT REPORT



20+ YEARS OF  
COMMUNITY ACTION

# URBAN FOREST + TREE STEWARDSHIP

96

TREE CONSULTATIONS  
WITH PROPERTY OWNERS

77

TREES PLANTED IN YARDS

5

EDUCATIONAL  
WORKSHOPS

167

WORKSHOP  
PARTICIPANTS

2

MUNICIPAL PARTNERS



# STORMWATER MANAGEMENT + WATER CONSERVATION



**1,300+**  
WATER CONSERVATION  
HOME AUDITS

WATER CONSERVED IMMEDIATELY BY INSTALLING:

<b>692</b>	<b>175</b>	<b>94</b>
SHOWERHEADS	AERATORS	TOILET FLAPPERS

**95,400+**  
LITRES OF STORMWATER  
STORAGE CAPACITY BUILT

**9,200+**  
EDUCATIONAL WORKSHOP  
PARTICIPANTS



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PROPERTY OWNERS

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RAIN GARDENS, PERMEABLE  
PAVE + INFILTRATION  
GALLERIES INSTALLED

**193**  
VOLUNTEERS

**8**  
WORK PARTIES

\*IMPACT SINCE INCEPTION\*

# DEPAVE PARADISE



**KEATSWAY PUBLIC SCHOOL**

**DOWNTOWN NEW HAMBURG**

**290+**

**132**

**METRES OF IMPERVIOUS SURFACE REPLACED WITH GREEN SPACE**

**VOLUNTEER DEPAVERS - COMMUNITY MEMBERS, TEACHERS, STUDENTS, PARENTS**

**3**

**LOCAL SITES DEPAVED SINCE 2019**

# HOME ENERGY EFFICIENCY + PROJECT NEUTRAL



**\$7M+**

ESTIMATED SAVINGS  
ON ENERGY COSTS  
AFTER UPGRADES

**\$54M+**

SPENT LOCALLY ON  
HOME ENERGY  
UPGRADES

**9,500+**

HOMES THAT  
COMPLETED ENERGY  
RETROFITS

**146**

PARTICIPANTS AT WORKSHOPS IN  
BUSINESSES, SCHOOLS, AND  
COMMUNITY GROUPS.

**1,500+**

PROJECT NEUTRAL  
USERS

**27,000+**

TONNES OF  
GREENHOUSE GAS  
EMISSIONS REDUCED

\*IMPACT SINCE INCEPTION\*

# ClimateActionWR



1,500+

COMMUNITY STAKEHOLDERS  
ENGAGED THROUGH  
80 BY 50 ACTIVITIES

80

EXPERTS CONSULTED FOR  
80 BY 50 COMMUNITY  
GOAL

124

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FROM THE COMMUNITY

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COMMUNITY EVENTS  
VISITED BY STREET TEAM

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VOLUNTEERS

\*IMPACT SINCE INCEPTION\*

# COMMUNITY OUTREACH

## EVENTS, WORKSHOPS + ZERO WASTE CHALLENGE



**953**

OUTREACH EVENTS

**16,600+**

WORKSHOP PARTICIPANTS

**4,800+**

VISITORS TO THE  
Reep House for Sustainable Living

**524**

ZERO WASTE CHALLENGE  
PARTICIPANTS

**185.5**

PETS TAKING PART IN THE  
ZERO WASTE CHALLENGE

\*IMPACT SINCE INCEPTION\*

# FUNDRAISING IMPACT



**YOUR LOCAL**  
1999-2019

ENERGY COACHES  
WATER PROTECTORS  
CLIMATE ADVOCATES  
CAPACITY BUILDERS  
SUSTAINABILITY HUB

**ENVIRONMENTAL ORGANIZATION FOR 20 YEARS**

HEALTHY YARD EXPERTS  
ZERO WASTE CHAMPIONS  
NEIGHBOURHOOD CATALYSTS  
ENVIRONMENTAL CHARITY



**380**

NUMBER OF GIFTS  
SINCE 2009

**\$50,200+**

DONATIONS SINCE 2009

**\$146**

AVERAGE GIFT

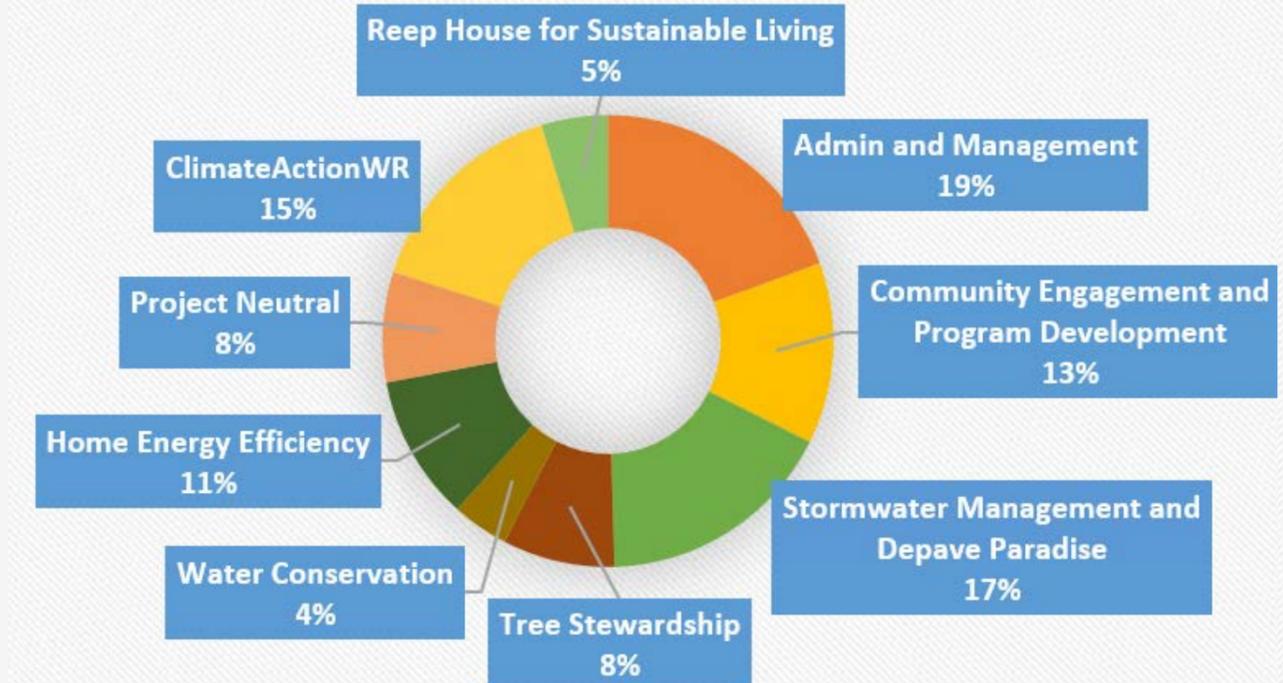
**\$17,679**

DONATIONS IN 2019

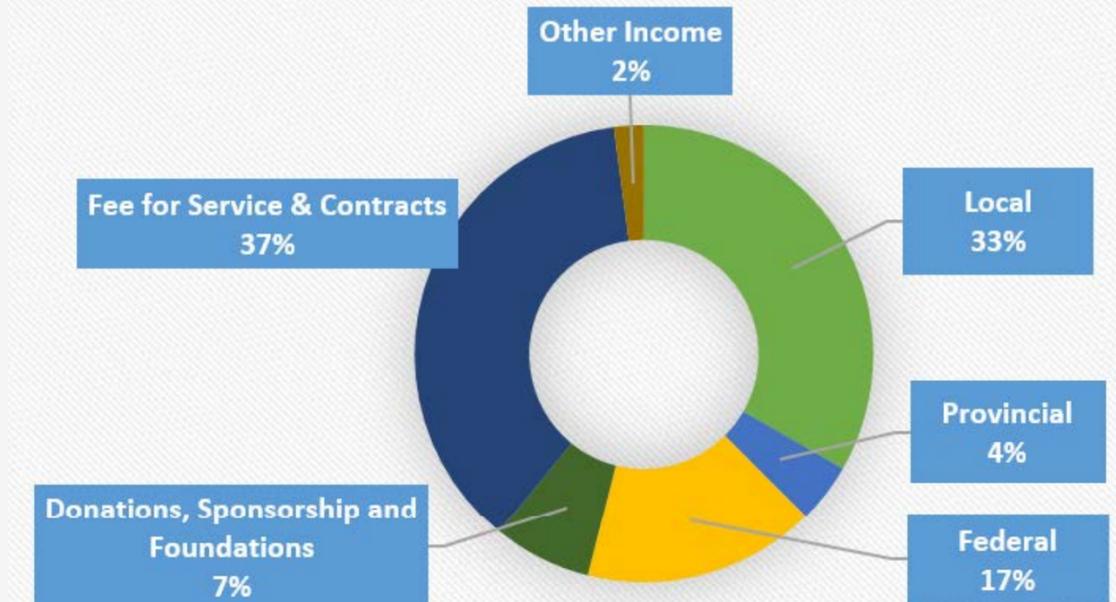
# FINANCIAL REPORT | FY2020

REVENUE	2019-2020	2018-2019
Grants (Local, Provincial, Federal)	433,410	323,504
Fee for Service	116,547	202,820
Contracts	180,978	114,215
Donations, Sponsorships and Foundations	55,546	43,359
Other Income	16,846	15,680
<b>Total Revenue</b>	<b>803,327</b>	<b>699,578</b>
<b>EXPENSES</b>		
Salaries & Benefits	510,446	511,134
Program Delivery - Contracted Services	154,984	103,525
Outreach & Community Training	24,325	17,830
Occupancy	37,721	33,708
Professional Fees	24,210	22,385
Staff & Org. Development	9,952	11,053
Office	6,228	7,815
Insurance	7,984	7,555
Amortization	1,272	1,319
Communications	3,181	3,325
Interest & Bank Charges	4,159	3,112
Travel	1,917	2,217
<b>Total Expenses</b>	<b>786,378</b>	<b>724,979</b>
Excess of Revenue over Expenses	<b>16,948</b>	<b>[ 25,401 ]</b>

## EXPENSES BY PROGRAM



## REVENUE SOURCES



# THANK YOU TO OUR PROGRAM FUNDERS AND PARTNERS



# THANK YOU TO OUR CORE FUNDERS





**REPORT NO:** DS 2020-024

**TO:** COUNCIL

**SUBMITTED BY:** Harold O’Krafka, MCIP RPP  
Director of Development Services

**PREPARED BY:** Andrew Martin, MCIP RPP  
Manager of Planning/EDO

**REVIEWED BY:** Grant Whittington, CAO

**DATE:** November 2, 2020

**SUBJECT:** Zone Change Application 08/20  
Damian Jaworski  
Block 99, Plan 58M-414 and Lot 12, Plan 1366  
Corner of Astor Cres. and Forrest Ave. E., New Hamburg

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**RECOMMENDATION:**

THAT Report DS 2020-024 be received for information.

**SUMMARY:**

This application proposes to change the zoning of the subject property from Zone 4a (Residential) to Zone 4 (Residential).

This report summarizes the request made and the public process up to the holding of the Public Meeting.

**BACKGROUND:**

Notice of a Public Meeting was given to property owners within 120 metres of the subject lands on September 28, 2020. The following is a summary of comments received prior to the Public Meeting.

**Public (complete written comments included as Attachment B):**

Chris and Jill Moore, Theodore Schuler Blvd, New Hamburg: concerned with a 3-storey building and privacy issues created, traffic, and property values.

Greg Vance, Theodore Schuler Blvd, New Hamburg: concerned with a 3-storey building and privacy issues created, traffic, compatibility with neighbourhood, security and property values.

**Agencies:** GRCA – no comments  
Region of Waterloo – no objections.

**REPORT:**

The subject lands are designated Urban Residential in the Township Official Plan, and are presently zoned Zone 4a (Residential) allowing up to 7 townhome units.

The applicant is proposing to change the zoning to accommodate a 12 unit apartment building. The application does not propose any reductions to property line setbacks or changes to building height as the building, including the proposed 3-storeys, would comply with both the existing zoning and proposed zoning's height restrictions of 10.5m.

In support of this application, a proposed site plan, conceptual building elevations, functional servicing report, stormwater management report and proposed grading and servicing plans were provided.

After receiving any additional comments through the Public Meeting, staff will return to Council with a detailed report and recommendation on the application that will include further discussion and responses to any concerns or comments received.

**ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:**

Holding public meetings to gain input on planning matters promotes an engaged community.

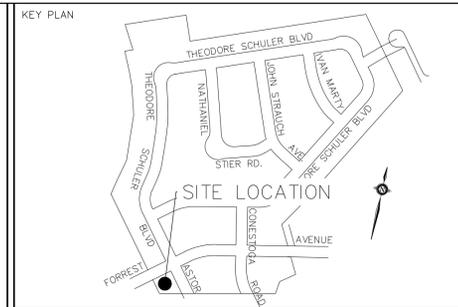
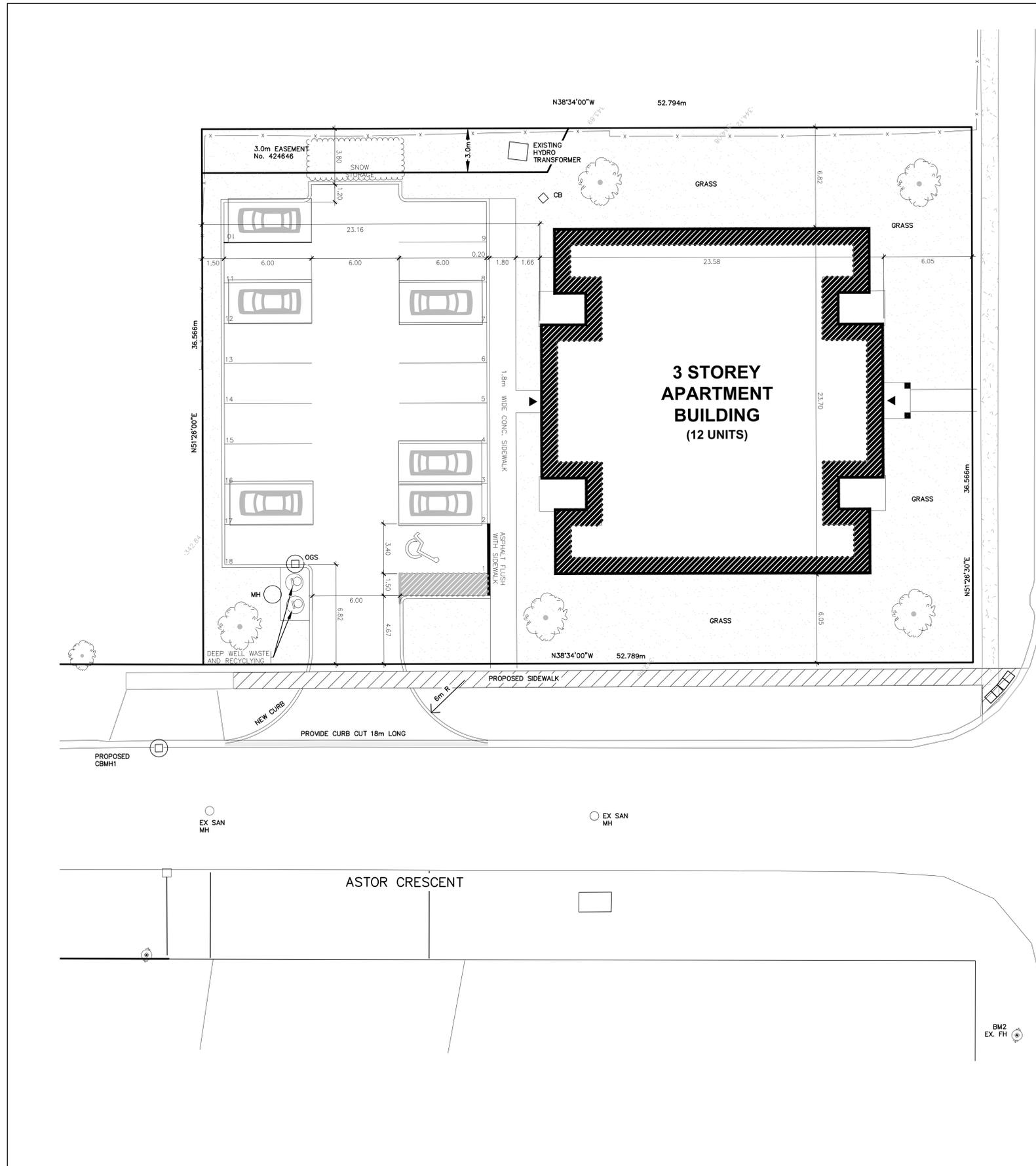
**FINANCIAL CONSIDERATIONS:**

The application fees, established by the Township of Wilmot Fees and Charges By-law, were collected at the time of application.

**ATTACHMENTS:**

Attachment A	Concept plans
Attachment B	Public comments

ATTACHMENT A: Concept plans



**NOTES:**

**ASPHALT ROAD PROFILE:**  
 40mm HL3  
 50mm HL8  
 150mm GRANULAR 'A'  
 450mm GRANULAR 'B'

— X — PROPOSED FENCE  
 PROPOSED TREE  
 PROPOSED SIDEWALK  
 X REMOVALS  
 PROPOSED ASPHALT

**BENCHMARKS:**  
 BM1 – CUT CROSS ON TOP OF NE CORNER OF CONCRETE PAD FOR GREEN HYDRO VAULT #9085 ON WEST SIDE OF PROPERTY 2m E OF WOOD FENCE. ELEVATION 343.655  
 BM2 – TOP NUT OF HYDRANT #97 SOUTHEAST CORNER OF INTERSECTION OF ASTOR CRESCENT AND FORRESTER AVE E. ELEVATION 344.738

**SITE DATA - EXISTING ZONE Z4  
 PROPOSED ZONE - ZONE Z4a**

REGULATION	REQUIRED	PROPOSED
LOT AREA	740 sq.m.	1,930.38 sq.m. (0.19ha)
LOT COVERAGE (MINIMUM)	30% (579.11 sq.m)	26.8% (518.11 sq.m)
LOT FRONTAGE (MINIMUM)	30.00 m	36.57 m
LOT WIDTH (MINIMUM)	30.00 m	52.79 m
FRONT YARD (MAXIMUM)	11.00 m	6.05 m
SIDE YARD (MINIMUM)	5.25 m	6.05 m
INTERIOR SIDE YARD (MINIMUM)	3.00 m	6.82 m
REAR YARD (MINIMUM)	7.50 m	23.16 m
LANDSCAPE OPEN SPACE (MIN.)	35% (675.63 sq.m.)	44.58% (860.66 sq.m.)
BUILDING HEIGHT (MAXIMUM)	10.5 m	10.07 m (TO MIDPOINT)

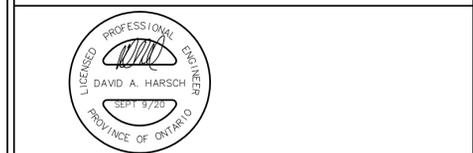
**PARKING DATA**  
 PARKING REQUIRED  
 1.5 SPACES / UNIT = 18 SPACES  
 PARKING PROVIDED - 18 SPACES

No.	REVISIONS	BY	DATE
	CONSTRUCTION		
	TENDER		
	ISSUE FOR APPROVALS		
	ISSUE BLOCK		

**ASTOR CRESCENT  
 BLOCK 99 & LOT 12**  
 NEW HAMBURG TOWNSHIP OF WILMOT

**PROPOSED  
 SITE PLAN**

**K. SMART ASSOCIATES LIMITED**  
 CONSULTING ENGINEERS AND PLANNERS  
 KITCHENER SUDBURY



DESIGNED BY: S.L.	0 1.5 3	DATE: SEPT 9, 2020
CHECKED BY: D.A.H.	SCALE: 1:150	SHEET PSP
DRAWN BY: S.L.	REVISION No.	
CHECKED BY: D.A.H.	FILE No. 18-321	



STATUS: SPA  
 PLOTTED:  
 SCALE: 1/4"=1'-0"  
 DWN BY: JED  
 DATE: AUGUST-2020

PROJECT: **APARTMENT BUILDING**  
 Astor Crescent / Forrest Avenue  
 New Hamburg, Ontario  
 TITLE: **NORTH-ELEVATION**

SHEET No. **A3.1**

No.	REVISION

ATTACHMENT B: Public comments

## Andrew Martin

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**From:** Chris Moore  
**Sent:** Tuesday, October 20, 2020 9:35 PM  
**To:** Planning; clerks  
**Subject:** Zone Change Application 08/20 Dispute

Attn: Andrew Martin, MCIP RPP,

We are writing to ask the Township to decline the Zone Change Application, submitted for Block 99, Plan 58M-414 and Lot 12, Plan 1366.

The current zoning 4a, allowing for a 7 unit townhome would be changed to a 3 storey, 12 unit apartment building.

All surrounding homes are 2 storey, building a 3 storey apartment will negatively impact the privacy and property values for surrounding neighbours. The 3 storey apartment building would look directly into our backyard (across Forrest ave.). With a pool in our backyard and young family, we have built a fence and hedge to create privacy. However, with a 3 storey apartment building overlooking our backyard we will lose all privacy. There is already a challenge with fast moving traffic on Forrest Ave, which has become a busier street with the development in recent years, adding 12 units to a lot zoned for 7 units will further that problem.

We did not dispute the Zone Change Application approximately 1 year ago which allowed for a 7 unit townhome vs. the previously zoned 6 units because it would remain 2 storeys, the same as the rest of the neighbourhood.

Please do not approve this zone change application, it will deteriorate the privacy and property values of many neighbours.

We are requesting to be notified by the township on the decision of the proposed zoning bylaw amendment.

Regards,  
Chris & Jill Moore  
Theodore Schuler Blvd. New Hamburg

## Andrew Martin

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**From:** Greg Vance  
**Sent:** Thursday, October 22, 2020 1:13 PM  
**To:** Planning  
**Subject:** Opposition to Lot99 Plan 58M-414 and Lot12 Plan 1366

Greetings,

I am writing to state my opposition to the Lot99 Plan 58M-414 and Lot12 Plan 1366 to rezone from 7 townhouses to a 3-story 12-unit apartment building.

This plan greatly reduces the privacy of my backyard and pool area.

This plan will have an adverse affect on traffic in an already busy traffic area.

This plan will result in an eyesore that does not fit in with the buildings on Astor, Forrest, Theodore Schuler.

This plan will result in a decrease in desirability for my (and other nearby) property and likely result in a lower property value as a result.

I would not have bought my property and home had this plan been approved at the time.

Even a gas station would be more palatable than a 3 story apartment building looking down on my pool all summer. It is also arguable that these plans may result in security concerns for me and my family in the future.

This plan harms more people than it helps.

I wish to be notified of the decision regarding these plans.

Greg Vance

Theodore Schuler Blvd, New Hamburg, ON



# TOWNSHIP OF WILMOT

## PUBLIC WORKS & ENGINEERING Staff Report

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**REPORT NO:** PW2020-18

**TO:** Council

**SUBMITTED BY:** Jeff Molenhuis, P. Eng., Director of Public Works & Engineering

**PREPARED BY:** Jeff Molenhuis, P. Eng., Director of Public Works & Engineering

**REVIEWED BY:** Grant Whittington, CAO

**DATE:** November 2, 2020

**SUBJECT:** Q3 Department Activity Report  
July – September 2020

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### **RECOMMENDATION:**

THAT the Public Works & Engineering Department Activity Report for the months of July – September 2020 be received for information.

### **SUMMARY:**

This report summarizes Q3 activities for the department. Generally, department activity continues to focus on learning new work practices, for example, to accommodate working from home, distancing and construction site hygiene practices, as well as maintaining the general work program as planned for operations and capital work. Staff were focused in Q3 on delivering construction, maintenance and operations programs.

### **BACKGROUND:**

All departments report activities to Council on a quarterly basis.

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\*\*\*This information is available in accessible formats upon request\*\*\*

**REPORT:**

The attached summaries highlight the activities of Public Works and Engineering activities from July to September 2020.

Engineering staff were working from home on critical infrastructure projects, as well as in the office more frequently for on-site activities required for contracts and contractor management.

Operations staff were working through regular summer maintenance programs for water, wastewater and roads activities, as well as completing road construction/widening activities for Nafziger Road in preparation for hard surfacing in 2021.

**ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:**

The Township of Wilmot is an engaged community through communication of municipal matters.

**FINANCIAL CONSIDERATIONS:**

There are no financial considerations as a direct result of this report.

**ATTACHMENTS:**

Attachment Q3 PW&E



<b>ROADS (TRANSPORTATION SERVICES)</b>	
Minimum Maintenance Standards (MMS)	<ul style="list-style-type: none"> <li>Scheduled road patrol inspections</li> <li>Deficiency work orders and general road repairs to maintain compliant with potholes, patching, washout, surface repairs</li> </ul>
Bridges, Culverts and Drainage	<ul style="list-style-type: none"> <li>Opened the Oxford/Waterloo Rd from the Nith River to Tye Rd.</li> <li>Catch basin repairs made at several locations in New Hamburg due to failure of the base due to age.</li> <li>Repaired a washout around a large diameter culvert on Christner Rd. An excavator was hired to assist with stabilizing and shaping around the structure.</li> <li>Replaced a road crossing culvert at 1476 Wilby Rd.</li> <li>Three days of repairing asphalt around sewer manholes in towns to avoid our snowplows from hitting the structure with the plow blades.</li> </ul>
Roadside	<ul style="list-style-type: none"> <li>Five days trimming grass and brush at bridges and guide rails.</li> <li>On going roadside mowing and daylighting intersections on the rural roads.</li> <li>Staff cutting the brush and trees growing in the ditches that are causing sightline issues or drainage issues.</li> <li>Roadside dumping cleanups on our rural roads.</li> <li>Removal of dead boulevard trees.</li> <li>Two days of tree stump grinding on boulevards in the urban area.</li> <li>A windstorm in September brought down a few trees and limbs that we needed to clean up.</li> </ul>
Loose Top	<ul style="list-style-type: none"> <li>All gravel roads have been shaped and dust control applied in July.</li> <li>Started widening Nafziger Rd from Deer Crt to Bleams Rd for scheduled hard surface application in 2021 if approved.</li> </ul>
Hardtop	<ul style="list-style-type: none"> <li>Patching potholes generated from road patrol work orders.</li> <li>Tar and Chip triple surface treatment applied to (Diamond Rd - Bridge St)</li> <li>Single surface Tar and Chip applied to Wilmot Line, Berletts Rd and Carmel Koch Rd from (Nafziger Rd – Wilmot Easthope Rd)</li> <li>Three weeks of asphaltting padding the broken edges and wheel rutting of tar and chip roads as well asphalt road edges.</li> </ul>
Safety Devices and Signage	<ul style="list-style-type: none"> <li>Replaced damaged, vandalized or stolen signs throughout the Township.</li> <li>Completed replacing the signs to maintain reflectivity compliance.</li> </ul>
Gravel Pit	<ul style="list-style-type: none"> <li>Moved material in pit.</li> <li>Started material investigation with consultant for service review/business case of operating activity at the pit in 2021/22.</li> </ul>
Winter Control & Event Response	<ul style="list-style-type: none"> <li>Ordering and stockpiling material for winter control prep.</li> <li>Vehicle and equipment prep will take place in October/November</li> </ul>



<b>WATER/WASTEWATER (ENVIRONMENTAL SERVICES)</b>	
Operations & Maintenance	<ul style="list-style-type: none"> <li>• Annual Watermain flushing program completed in August</li> <li>• Wilmot/Church reconstruction – staff present on site to witness connections and other work per OReg requirements</li> <li>• New WM commissioning &amp; Inspections (servicing connections) - 2</li> <li>• Annual Hydrant maintenance program on-going</li> <li>• Hydrant repairs – 3</li> <li>• Curb stop repairs – 5</li> <li>• Prep &amp; Pave Utility road cuts</li> <li>• Water shut offs – 5</li> <li>• Fire flow testing private/Regional – 3</li> </ul>
Locates Processed	<ul style="list-style-type: none"> <li>• 121 locates between June 20<sup>th</sup> and Sept 30<sup>th</sup></li> <li>• Locate numbers increasing from historic values as construction, MC requirements and work permit requirements formalize third party construction processes</li> </ul>
Meter installs/change-outs/inspections	<ul style="list-style-type: none"> <li>• Meter inspections – 4</li> <li>• Meter repairs - 10</li> </ul>
Water Quality/ Adverse Reports	<ul style="list-style-type: none"> <li>• Weekly chlorine residual sampling</li> <li>• Adverse water quality reporting – 3 adverse incidents this quarter, in the Baden and New Hamburg systems. All were reported and resolved in compliance with the regulation.</li> <li>• Bi-Annual lead testing program completed</li> </ul>
Water Main Breaks/Excavation	<ul style="list-style-type: none"> <li>• Watermain break – 1</li> <li>• Service leak repair – 1</li> </ul>
Storm Main/Blockages	<ul style="list-style-type: none"> <li>• Repair Enbridge cross bore of storm lateral on Hunter/Grandview</li> <li>• Sink hole investigations</li> </ul>
Sanitary Main/Lateral Blockages	<ul style="list-style-type: none"> <li>• Routine flushing and preventative maintenance program</li> </ul>
Lift Station Maintenance	<ul style="list-style-type: none"> <li>• Weekly operational checks</li> <li>• Installation of new Miltronics for failed controller unit</li> <li>• Pump replacement at Milne Drive station</li> <li>• Float repairs &amp; installation at Milne Drive station</li> <li>• Pump blockages at Milne Drive station</li> </ul>
SWM Facility Maintenance	<ul style="list-style-type: none"> <li>• Routine grass cutting around perimeters</li> <li>• Garbage and debris removal</li> <li>• Trimmed Phragmite weeds with a demo unit for a dry pond in New Hamburg</li> </ul>
DWQMS	<ul style="list-style-type: none"> <li>• Operator training – New Watermain Commissioning</li> <li>• Internal auditing</li> <li>• Regular awareness meetings</li> </ul>

<b>ENGINEERING SERVICES</b>	
Traffic Network Operations	<ul style="list-style-type: none"> <li>• Region's-Automated Speed Enforcement program (ASE) approved by council. Discussions with the Region ongoing about implementation requirements</li> <li>• Staff initiated review in preparation to draft a Traffic Calming Policy – aiming for 2021 Work Program</li> <li>• Resident concerns being documented and tracked for resolution at a later date. Significant backlog in traffic review items</li> <li>• Speed signs and software ordered, rotating program to start again in 2021</li> </ul>
Municipal Consents/Permits	<ul style="list-style-type: none"> <li>• 65 road work permits issued as of June 5. Site inspections, deposit releases on-going</li> <li>• 55 Municipal consents issued as of June 5. Payment follow up and tracking with utility companies on-going.</li> <li>• MAA discussions on-going with telecoms and utilities. Have partnered with Centre of Wellington and Township of Woolwich for these discussions / information sharing</li> <li>• Municipal Consent process and specifications manual sent to the industry for review / comment</li> </ul>
Development Activity	<ul style="list-style-type: none"> <li>• Servicing strategies being reviewed for core urban areas to support Official Plan changes</li> <li>• Various site plan, infill activity on-going</li> </ul>
GIS/Infrastructure Mapping	<ul style="list-style-type: none"> <li>• GIS geometry for SWM mapping, setting up digital file structure for existing scanned hard copy files</li> <li>• Stm sewer data collection being completed in the field.</li> <li>• Updating urban STM infrastructure mapping and digital attributes by December 31</li> <li>• Road crossing culverts and driveway culverts attributes being collected</li> <li>• Sanitary asset categories are planned next for field review</li> </ul>
Design Standards & Specifications	<ul style="list-style-type: none"> <li>• Infrastructure standards and specifications Phase 1 (TIS , Erosion, Hydrogeology, SWMP / Stm sewers, functional servicing, Lot grading) comments received by Industry. Comments being reviewed with Township of Woolwich partners</li> <li>• Infrastructure standards and specifications Phase 2 (minimum testing, watermain, sanitary, survey, water meter policy, introduction, municipal consent, landscape section, standard dwgs, dwgs submission) currently being reviewed by industry for comment</li> <li>• Phase 3 currently being worked on (asset management, roads, fees and security, deliverables, Eng. site plan requirements / submission, appendixes)</li> </ul>
Municipal Drains	<ul style="list-style-type: none"> <li>• Approximately 15 active municipal drain files this year, all being worked on over the course of the year new Municipal drain petitions filed this quarter.</li> <li>• K Smart updating drain mapping information</li> <li>• Backlog and substantial workload in municipal drainage works for maintenance and capital being completed through the Drainage Superintendent</li> </ul>



	<ul style="list-style-type: none"> <li>• Non municipal drainage concerns / enquiries being documented and tracked, on-going</li> </ul>
Reforestation Program	<ul style="list-style-type: none"> <li>• Funding provided for approximately 50 trees to “Lets Tree Wilmot” community group.</li> </ul>
Streetlights	<ul style="list-style-type: none"> <li>• Discussion wiith KW Hydro and Woolwich regarding standards for light poles and future network infrastructure connectivity.</li> <li>• KW Hydro maintaining lights and fixtures as needed</li> </ul>
DC Project Activity	<ul style="list-style-type: none"> <li>• Morningside Sanitary Trunk EA – Kickoff meeting and project started</li> <li>• Baden / New Hamburg Trunk sanitary servicing review</li> <li>• Snyder’s Road design – ongoing</li> <li>• Foundry Sanitary Trunk discussions with Region</li> </ul>
Other Agency Capital Projects	<ul style="list-style-type: none"> <li>• Region Notre Dame Drive Reconstruction (St. Agatha WM looping)</li> <li>• Region Erb St – Rural Resurfacing</li> <li>• Region Nafziger Rd – Roundabout / Transmission WM design</li> <li>• Region New Dundee Water Treatment EA</li> <li>• Region Trussler Rd – Road Widening</li> <li>• Region Baden / New Hamburg Wastewater masterplan. Region has awarded the project</li> <li>• Region Bleams / Jacob / Riverside / Victoria / Boullee / employment lands Transmission WM discussion with Region</li> </ul>

<b>DEPARTMENT</b>	
Service Issues and Requests	<ul style="list-style-type: none"> <li>• Formal PW&amp;E tracking log created to track service inquiries and respond to customer concerns / enquiries (ex. Infrastructure concerns and reporting, general complaints/requests for PW&amp;E activities)</li> </ul>
Safety/Training	<ul style="list-style-type: none"> <li>• PW&amp;E welcomed two new FT staff in Engineering this quarter. There was a vacancy left in Engineering as interim role placements transitioned to permanent roles in operations</li> <li>• Three seasonal staff were hired for winter operations.</li> <li>• New staff were on-boarded with Wilmot H&amp;S, COVID training requirements</li> <li>• First Aid Training for operations staff, operations training</li> </ul>
Capital Program	<ul style="list-style-type: none"> <li>• Guiderail project – deferred until 2021 as OSIM Results received. Guiderail work has substantial backlog of needs. The capital program for this item will need to be advanced to address the backlog of needs</li> <li>• RFP Stormwater Masterplan – RFP criteria development ongoing for release in late Q4</li> <li>• Bridge Street Bridge EA on-going</li> <li>• Wilmot/Church Rd reconstruction – base asphalt expected early November</li> </ul>



	<ul style="list-style-type: none"> <li>• CCTV sewer inspection program wrapping up late September</li> <li>• Wilmot St. Phase 2 2020 contract preparation. To be tendered in November/December 2020 for Spring 2021 construction.</li> <li>• Greenwood Drive Engineering pre-design</li> <li>• Nafziger Road Watermain pre-design</li> <li>• Webster Street pre-design</li> <li>• Victoria /Boullee Road pre-design</li> <li>• Stone Street pre-design</li> <li>• Gingerich watermain improvements –to be tendered with Wilmot St. Phase 2 for better pricing</li> </ul>
<p style="text-align: center;">Asset Management</p>	<ul style="list-style-type: none"> <li>• Focus on data collection and data quality</li> <li>• Condition assessments and risk framework development with consultant. Updated condition building asset to be reflective in capital budget process.</li> <li>• Standardization and user manual of GIS / AutoCad layers and attributes being created.</li> <li>• GIS / Asset management requirements expanding rapidly due to downloading of Provincial Sewer works approval process to Municipalities, as per Reg 208/19</li> </ul>
<p style="text-align: center;">Budget - Capital and Operating</p>	<ul style="list-style-type: none"> <li>• Eng. staff met with Region capital program budgeting staff to review works within Wilmot. Eng. staff met with Woolwich staff to see if more efficiencies can be found in joint project alignment / procurement.</li> </ul>
<p style="text-align: center;">Insurance Claims</p>	



# TOWNSHIP OF WILMOT

## FACILITIES & RECREATION SERVICES *Staff Report*

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**REPORT NO:** FRS 2020-014

**TO:** COUNCIL

**SUBMITTED BY:** Sandy Jackson, Director of Parks, Facilities & Recreation Services

**PREPARED BY:** Sandy Jackson, Director of Parks, Facilities & Recreation Services

**REVIEWED BY:** Grant Whittington, CAO

**DATE:** November 2, 2020

**SUBJECT:** Parks, Facilities & Recreation Services Third Quarter Activity Reports

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### **RECOMMENDATION:**

That the Parks, Facilities & Recreation Services Activity Reports for the third quarter of 2020 be received for information.

### **SUMMARY:**

Parks, Facilities and Recreation Division Manager Reports for the third quarter of 2020 are attached for information.

### **BACKGROUND:**

Providing quarterly reports for insight into operations and programs provided by the Parks, Facilities & Recreation Services Department.

### **REPORT:**

The Parks, Facilities and Recreation Services Department continued to be significantly impacted by the COVID-19 pandemic during the third quarter of 2020. In mid-March after a brief warning

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\*\*\*This information is available in accessible formats upon request\*\*\*

period, all recreation facilities including community centres were closed due to COVID-19. Parks amenities including playgrounds were also closed however, trail systems and parks themselves remained open, providing people used physical distancing to prevent spread of the COVID-19 virus. In May, some amenities in outdoor parks were reopened excluding playgrounds. Stage 2 of the reopening allowed indoor pools and splash pads to open with limitations including restrictions for physical distancing. On June 17, 2020, the Township reopened the splash pad at the Wilmot Recreation Complex (WRC) with perimeter fencing in place and staff to control numbers of participants and assist participants with physical distancing requirements.

In August 2020, the pool reopened for limited hours Monday through Friday during the day and offered lane swimming, Aquafit and public swims. All programs were controlled through pre-registration and reduced numbers. Staff were provided with additional COVID related training and additional cleaning protocols and procedures were developed and implemented. In August one rink was also reopened to accommodate daytime use by the New Hamburg Skating Club for small group and individual training sessions. Cleaning protocols and entering and exiting procedures as well as screening of patrons were created and implemented for the arena operations and continue to be used daily.

In September, the pool extended programs and services to include some evening and weekend programs and rental of pool space for the Aces swim team. The second rink also reopened in September and both rinks operated seven days per week with all prime-time ice rented to minor sport groups. At this time public skating and free daytime skating has not been reinstated due to the risks related to control of physical distancing. The walking track and community centre also remain closed currently to control traffic and abide by legislative cleaning and physical distancing requirements.

Parks and Facilities operations continued operating through the third quarter with a reduced crew and a focus on projects in buildings such as community centres closed due to COVID, which resulted in completion of numerous capital projects. Most part time staff who were moved to Designated Emergency Leave in mid-March have now been returned to regular duties or redeployed to assist with other necessary duties such as COVID screening of patrons entering the Wilmot Recreation Complex.

The Region of Waterloo Recreation Directors have been meeting on a regular basis with the goal of creating standardized protocols during reopening stages. Although not every facility is designed to accommodate standardized protocols, every effort has been made to remain consistent where feasible.

The Managers from the three activity areas within the department (Aquatics, Parks/Facilities, Customer Service & Community Development), have prepared activity reports for the second quarter of 2020. As reported in the recent financial impacts from COVID, revenues have been significantly impacted and every effort to control costs has been made through this challenging time. The attached summaries highlight the more notable undertakings by the Managers and their staff, and do not include all day-to-day operational or administrative activities.

**ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:**

Responsible Governance

**FINANCIAL CONSIDERATIONS:**

N/A

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**ATTACHMENTS:**

Customer Service & Community Development Quarterly Report (July – September 2020)  
Aquatics Quarterly Report (July – September 2020)  
Parks & Facilities Quarterly Report (July – September 2020)

## Customer and Community Services Division

### Quarterly Activity Report (July - September 2020)

- Continued to work with Monteith Brown on the Ice Needs Study. Arranged for one on one interviews with the four major user groups, collection of surveys from all user groups and provided information as requested. Met with representatives from Monteith Brown together with the Director, Parks, Facilities and Recreation Services.
- Continually researched changing COVID-19 legislation, guidelines and procedures in preparation for reopening facilities.
- Together with the Facility Scheduler prepared a Covid – Facility user guide for ice rental groups to ensure that they are aware of our guidelines and their responsibilities when entering the facility.
- Organized and chaired a meeting with the four main user groups of the ice at WRC (Firebirds, Minor hockey, Girls hockey and the New Hamburg Skating Club). The meeting was both a reschedule of the postponed annual user groups meeting that was to have been held in April and to review the reopening process and guidelines.
- Begin to transition staff back to work, Facility Schedulers, CSR's, and Concession staff (to fulfill the role of screener).
- Developed Ice Allocation Guidelines and Procedures for Covid, and for regular season.
- Met with Public Health to review guidelines for kitchen facilities in Community Centres.
- Participated in Fire and Emergency training for Wilmot Recreation Complex.
- Updated the ActiveNet system with new products and fees and charges for Customer Service representatives and Facility Scheduling staff.
- Received word that Wilmot Softball were offered the opportunity to host the U14 Boys Canadian Championships next August. This will be a large event for Wilmot Softball and the Township. Had a meeting with Wilmot Softball and the Director to discuss.
- Contacted groups and processed cancellations for Community Centre rentals affected by the gathering restrictions announced on September 18<sup>th</sup>.
- Assisted with the training and supervision of arena screeners.
- Met with New Hamburg Hockey Association and Wilmot Girls Hockey to discuss Covid-19 procedures and issues numerous times.
- Hosted the Municipal Alcohol Policy meeting for Community Groups on September 22<sup>nd</sup>.

Prepared by Manuela Jones, Manager of Customer Service and Community Development

### **Recreation Programming:**

- Four recreation courses will be offered this fall:
  - Wonder Tots Dance (ages 3-4)
  - Wonder Kids Dance (ages 5-8)
  - Body Sculpt (16+)
  - Relaxation Yoga (16+).

- Planning for similar program offerings in the Winter 2021.
- Cancellation of Sportball Franchise programs as the owners/London location we deal with are stepping away from the franchise during COVID.
- Planning for the direction of recreational programming for the next short-term of the Recreation Master Plan.
- Ensure COVID Protocols are completed and provide input to Regional decisions about walking track opening based on Dr. Wong's announcement limiting program offerings to those with proper safety protocols.
- Prepared Pickleball Protocols and developed training and videos for Volunteers and participants. Created COVID training to bring the program back in the near future.

### **Recreation Programming Partnership**

- No updates as to when Community Care Concepts may begin to offer Adult Leisure Centre drop-in programs; however, they are working on a plan that will be presented in early 2021.
- The Wilmot Family Resource Centre is currently working on program offerings for youth and families from the New Hamburg Community Centre and other Community Centre's around Wilmot.

### **Youth Action Council**

- Weekly virtual meeting since September 14, 2020.
- Currently 16 members between grade 8-12.
- Youth Week 2020 has been moved to virtual programming for the week of December 1<sup>st</sup> – 7<sup>th</sup> and more information will be provided prior to the event.
- Brendan Hancock is back as the YAC Facilitator on contract until February 2021 to lead the Youth Council and is doing a wonderful job working remotely and keeping the youth engaged.
- Partnership with Interfaith Community Counselling continues with YAC for monthly Wellness Nights.

### **Screeners**

- Supervising Concession staff who have been redeployed as COVID Screeners to screen coaches entering the Arena entrance door & back entrance for programming.
- Issues with the public adjusting to the protocol has provided some challenges, however the screeners are doing an amazing job.

Prepared by Lacey Smith, Supervisor of Recreation Programming

## **Cemetery & Recreation Services:**

- With the closure of the concession booth, all product was returned to suppliers, sold or discarded if product was expired.

- Created maps of all Community Centres for Facilities staff to determine layouts for rentals with reduced occupancy due to COVID-19.
- Created and ordered signage for Dog Park and set up Grand Opening event.
- Cemetery activity has picked up over the last few month with sale of new lots and openings.
- Continue to update Cemetery records in Stone Orchard software program.
- Prepared list for invoicing of Arena board and stairs advertising.
- Working on sale of advertising for benches or armour stone in dog park.

Prepared by Crystal Brenneman, Supervisor of Cemetery and Marketing Administration

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## Aquatics Division

### Quarterly Activity Report (July - September 2020)

#### Splash Pad

- During the summer months, we were able to bring our part-time staff back on slowly. At the end of June and for July we had 3 part-time and the 4 full-time aquatic staff members supervising the splash pad. In August, the full-time staff moved back inside to the pool for most of their working hours and additional part-time staff were brought on to replace them on the splash pad.
- Two Aquatic staff members were scheduled to screen and monitor the splash pad each day from June 26, 2020, through to Labour Day. The splash pad hours were 11:30 AM to 6:30 PM, 7 days a week. Staff arrived a half-hour before opening and after closing to complete additional required duties. During poor weather, the part-time staff would be assigned maintenance and cleaning duties inside the WRC, the full-time staff would continue with their regular duties.
- Beginning at 11:30 AM, each hour on the half-hour, up to 50 users were screened by staff and permitted entry for 50 minutes at a time. Staff would monitor the users to ensure proper physical distancing and safe use. Staff cleared the splash pad each hour to sanitize the touchpoints. Once the sanitizing was completed, the next group of users would be screened and permitted entry. Many times, users would get back in line to stay for a second hour.
- Staff also cleaned and sanitized the outdoor washrooms at the splash pad every two hours during the posted hours.
- There was a total of 8,524 splash pad users. 495 in June, 3,525 users in July, 4,097 users in August, and 407 users in September. The splash pad was closed for 2 days in July due to a mechanical issue with the chemical controller.

#### Aquatic Centre

- On August 4<sup>th</sup> we reopened the pool for registered programs. At that time, we brought an additional 14 part-time staff back to work. The full-time aquatic staff members moved to the pool for most of their hours and part time staff covered the Splashpad.
- All programs at the pool are currently registration based. Users sign up for their desired program online or by contacting the Customer Service Reception desk. Program registration opens a week prior to the programs.
- The registered programs during August included length swims, family swims, and deep water and shallow water Aquafit classes. The hours of operation were Monday to Friday from 9:00 AM to 3:30 PM. In August 963 registered participants attended the facility. In September we increased the hours of operation from 6:00 AM to 9:30 PM on weekdays and introduced limited weekend hours. Combo Aquafit, evening private and semi-private lessons, lanes swims and weekend lane and Family swims were included in the schedule. There were 1173 participants in registered programs in September.
- The ACES returned to the pool on August 4<sup>th</sup>. Due to COVID protocols, they required exclusive rental of the full pool. In August they were able to bring back their elite swimmers Monday through Thursday from 3:30 – 5:00 PM. In August they had 263 participants. In September, with our increase in hours of operations and Swim Ontario protocols, they were able to increase their registered numbers and swim levels. This included Tuesday, Wednesday and Friday 6:00 – 7:30 AM, Monday to Friday after school hours that vary from 1 hour to 3 hours, Saturday and Sunday morning for 2 – 3 hours in length. In September they had 932 participants.
- Aquatic Leadership courses have been added to the schedule recently. Our staff has taught Standard First Aid to 12 Township of Wilmot employees. A National Lifeguard recertification class was held with 7 participants. A Lifesaving Assistant Instructor course with 12 participants, and a Standard First Aid recertification for 7 aquatic staff members.

## September

- We currently have 4 full-time staff members and 35 active part-time staff members. We have 2 staff members taking on substitution shifts only for the fall session. Between the facility closure in March and September, there were 7 staff resignations. In September we hired 9 new staff members. As Assistant Instructor Guards we have, Jessica Bell, Camille Ditty, McKenna O'Connor and Tyler Rutherford. In the role of Lifeguards, we hired, Kallea Bes, Nolan McMillan and Elisabeth Stafford. As an Instructor/ Guard, we have hired Emma Caswell and Sydney McCourt.
- We began taking registration for our Fall programs in September for lessons to begin in October. This fall will look very different to other years. We will not be offering Learn-to-Swim lessons, but instead we will offer two sessions of private lessons. This decision allows staff and participants to maintain the physical distancing requirements. The second is the current industry best practices and COVID protocols, do not permit the instructors to be in the water with the swimmers, nor are they able to provide supports and holds on students.

- Two sessions of 4-lesson blocks of privates will be offered this fall. Families may register multiple children from the same household in the lesson. As there are additional requirements that need to be in place for these private or semi-private lessons due to COVID protocols, families were contacted by the Customer Service staff to inform them of the following requirements.
  - Parents and participants are requested to watch the welcome video provided by email to make sure your first lesson is enjoyable.
  - Participants need to come to the facility already changed into their swimsuits. Changerooms are not available before lessons. Participants are requested to bring a bag large enough to hold all belongings. Bags will be stored along the pool deck. Instructors will provide the location information. Lockers are not available due to contact cleaning requirements.
  - Showers are not available after the lesson as per public health recommendations.
  - To adhere to the current safety measures and physical distancing requirements, participants in private and semi-private lessons who are Preschool swimmers up to Swimmer 3 must have an adult from their social bubble attend in water with them. This adult must be water confident as they will be performing all supports and holds on the swimmer. Instructors will be teaching from the deck to ensure physical distancing.
  - Swimmer 4 and higher, will be swim tested at the start of the lesson. Should they be unable to pass the swim test, the parent will be required to go into the water with them. Parents must be prepared to swim by wearing a suit underneath clothing so the child does not miss their lesson.
  - Lessons are skill-based as opposed to level-based. We will not be evaluating swim levels as sessions for private lessons are generally shorter in duration.
  - Only one adult per family is allowed in the facility which includes the water competent adult.
- Staff completed ongoing pool bookings in the recreational program software. Birthday party pool rentals have begun to come in slowly. Many people find that the lower capacity of 25 participants in the leisure pool and 50 in the lap pool is acceptable for their needs. The party room is currently not available which has resulted in some reductions of party bookings. During this quarter we had three private rentals with a total of 73 participants.
- The Full-time Aquatic staff-led multiples seasonal staff training sessions for the part-time aquatic staff members prior to opening.
  - Staff involved in the Splash Pad were given an orientation on protocols and required duties.
  - At the end of July, prior to opening the Aquatic Centre staff who would be acting as facility screeners attended and orientation training. In August, all remaining staff were trained in screening protocols and procedures.

- All returning aquatic staff were required to demonstrate their National Lifeguard aquatic skills prior to their first shift.
  - A training was held specifically for Head Guards to ensure they were up to date on all COVID protocols and policies and procedures.
  - All staff attended a Wilmot Recreation Complex training session for the Fire Plan. They also participated in on-line training of the Fire Plan and Emergency Procedure.
  - There was online training for all staff to complete in addition to the in-person training. This included new COVID protocols and procedures, a refresher of the AODA, Workplace Violence and Harassment, IT policy, and WHMIS requirements.
- During the summer, Michaela Baker was presented with the Ben Grosso Award. This award is given annually to an Aquatic staff member in memory of Ben and to acknowledge mental health awareness. Recipients of this award are nominated by their co-workers. This award is to help remind staff to be kind, understanding, accepting, inclusive and friendly. It is to remind the staff that we are all a team regardless of our views in life. Through this aware, staff are reminded to take time for themselves and reach out for help when they are not feeling included or part of the team. This year we were not able to present this award during our summer staff training due to COVID closures, however we were able to have Joan Grosso, Ben's mother, present this to Michaela in a small ceremony outside at the WRC Complex.

Submitted by:

Angela Bylsma Anderson

Aquatics Manager, Wilmot Aquatic Centre

## Parks & Facilities Services Division Quarterly Activity Report (July-Sept)

- Canada Day live outdoor events were cancelled this year due to the Covid-19 Pandemic with strict social distancing rules and small gathering limits.
- Hired Junker Construction and P. Gingerich Excavating to repair and replace the eroded pathway behind the 121 Huron parking lot that runs along the Nith River. This was destroyed by major flooding, concrete and armor stones were used to try and alleviate any future damage during flood events. This area will be part of the RED grant restoration expected in 2021.
- Attending Covid-19 re-opening meetings weekly with parks, facilities & recreation management staff.
- Assisted Director with the dog park location, fencing layout and on-site meetings with contractors at Scott Park.
- Hired HS Fencing to repair and replace the damaged baseball fencing posts at ND park due to heavy frost damage.
- Ordered baseball capping for the fencing at ND Park from Marco Clay after the fencing/posts were repaired. Township parks staff installed.
- Assisted with the Terry Fox 40yrs plaque installation at Petersburg Park.
- New Cargo van was purchased and outfitted.
- Helped prepare the Township facilities for Stage 3 COVID reopening. Major planning went into directing user groups the safest way possible to ensure safety for everyone attending the buildings.
- Reopened the Optimist ice pad on Tuesday Aug. 4<sup>th</sup> at 8am with great success. The New Hamburg Skating Club was the first user group on the ice.
- Helped work with and train staff for new Covid-19 cleaning procedures.
- Hired Complete Tree Service to remove four hazardous trees and stump grind 17 stumps at Sararas Park in St. Agatha, and four dead trees and stumps at Scott Park.
- Attending strategy meetings to re-open our outdoor parks, sports fields, playgrounds, Splash pad and community centers. This was successfully done, and Township residents were very grateful.
- Schout ice pad was installed at the end of August so we could open more ice for our minor sports groups in the Township.
- Limited horticulture work was completed this summer due to a reduced staff level which was a decision made to save costs during COVID.

Geoff Dubrick  
Parks and Facilities Manager

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## Project Management Services:

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Parks & Facilities Project work for July – September 2020 included:

- Project Prep and RFP write-ups for playground replacements at Constitution and Youth Optimist Parks.
- Final Warranty Inspection resulting in teeter-totter repairs at Constitution Park (completed by Blue Imp via warranty).
- Installation of new underlay and flooring at Mannheim CC including wall repairs, trim, paint and replacing the old, worn vanities with wall-mount basins in each washroom.
- Major drainage repairs at Mannheim CC completed due to flooding after rainstorms - including excavation, site-prep, installation of trench drain assembly, RWL's from the drain, the downspout on the North-East corner of the CC & the North-East corner of the picnic shelter. This will protect the flooring inside the CC.
- Installation of park bench and concrete pad at Haysville CC.
- Installation of park bench and concrete pad at Captain McCallum Park.
- Project-prep work for anchoring the retaining wall at Kirkpatrick Parking Lot (due to surface-mount railings). Engineered drawings submitted for permit.
- Project-prep work for railing repairs along accessible ramp at the Admin Building. Engineered drawings submitted for permit.
- Project-prep work for Bolster Block repairs and Dywidag rod tightening at New Hamburg Arena.
- Begin the review and incorporation of Building Condition Assessment Data into the Asset Management Plan and Parks and Facilities 10yr Capital Plan including preparation and updating of the Facilities' Playground Catalogue.
- Completed Haysville Meeting Room project and present new storage solutions to Guides and Scouts for immediate relocation to allow space for the New Hamburg Band in the NHCC.
- St. Agatha Community Centre Kitchen final inspections and signoffs from the Architect, Electrical Engineer, ESA, Mechanical Engineer, Region of Waterloo Health Inspector, and Township of Wilmot Building Inspector.
- Added new Roller Shutters to all server windows in the St. Agatha CC kitchen and bar for ease of access and safety.
- Re-finished the diving board for the lap pool at the WRC Aquatics Facility.
- 2021 Budget Prep throughout the Township (ongoing into Q4).

Prepared by Amber Schenk, Project Coordinator



# TOWNSHIP OF WILMOT

## PARKS, FACILITIES & RECREATION SERVICES *Staff Report*

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**REPORT NO:** PFRS 2020-015

**TO:** Council

**SUBMITTED BY:** Sandy Jackson, Director of Parks, Facilities and Recreation Services  
Patrick Kelly, Director of Corporate Services/Treasurer

**PREPARED BY:** Manuela Jones, Manager of Customer Service and Community Development

**REVIEWED BY:** Grant Whittington, CAO

**DATE:** November 2, 2020

**SUBJECT:** Township of Wilmot Municipal Alcohol Policy

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### **RECOMMENDATION:**

**That the Township of Wilmot Municipal Alcohol Policy (MAP) be repealed and that Governance Policy GP-004 (Municipal Alcohol Policy) be approved effective January 1, 2021.**

### **SUMMARY:**

The Region of Waterloo Public Health Department is mandated to work with municipalities regarding alcohol use in recreational settings. They have taken the initiative to work collaboratively with each of the four (4) townships and three (3) cities in Waterloo Region, along with the Alcohol and Gaming Commission of Ontario (AGCO), and the Waterloo Region Municipal Insurance Pool (WRMIP) to develop a Regional Municipal Alcohol Policy with the intention of having uniform, consistent alcohol policies within all municipalities across the Region. This policy has been developed and approved by experts in the field. Our neighbouring communities have successfully approved and implemented the revised policy.

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\*\*\*This information is available in accessible formats upon request\*\*\*

## **BACKGROUND:**

The Township of Wilmot first approved a Municipal Alcohol Policy in 1994, with occasional updates made to the Policy as required from time to time. The purpose of the Municipal Alcohol Policy is to protect both the municipality, the users of its facilities and the general public by reducing the risk of alcohol related violence, injury and death. The policy ensures the safety of participants and the general public by outlining clearly the responsibilities and controls in place for facility rentals. The responsibilities and controls are also in place to protect the Township from alcohol related liability and legal actions and reduce the likelihood of injury or property damage to residents.

This Policy development process included a review of numerous Municipal Alcohol Policies (MAPs) from other municipalities such as Goderich, Grey-Highlands, and Hamilton, as well as policies reflecting best practices compiled by the Ontario Recreation Facilities Association (ORFA) and the Centre for Addictions and Mental Health. The Policy was developed collaboratively by the following Region of Waterloo organizations and municipalities:

- Alcohol & Gaming Commission of Ontario
- Waterloo Region Municipalities Insurance Pool
- Frank Cowan Company
- Region of Waterloo Public Health
- Risk Management, Region of Waterloo
- Region of Waterloo
- City of Cambridge
- City of Kitchener
- City of Waterloo
- Township of North Dumfries
- Township of Wellesley
- Township of Wilmot
- Township of Woolwich
- Region of Waterloo Museum.

The document was reviewed by Arlene Metz, Solicitor, Corporate, The Regional Municipality of Waterloo, Legal Services Division and Craig Smith, Manager Risk Management Services, The Regional Municipality of Waterloo, and has been adopted by all Region of Waterloo municipalities.

As alcohol related incidents are on the rise, the risk exposure to the municipality has also increased. The revised Policy addresses the increased risk, as well as recent legislative changes initiated by the Alcohol and Gaming Commission of Ontario (AGCO).

The updated Municipal Alcohol Policy (MAP) was first brought to Council in November 2019 with the following proposed changes from the current policy:

- Updated list of Township of Wilmot facilities designated as suitable locations for alcohol related functions;

- Requirement for all events serving alcohol held in Township owned facilities to have Township staff on-site regardless of the number of participants.
- Detailed definitions and information regarding roles and responsibilities of event organizers, event workers, Township staff, and a “guest to event worker ratios” table outlining supervision requirements;
- Township bartender role modification to Municipal Representative (now responsible to oversee the event rather than serving beverages);
- Event organizer requirement to sign a checklist indicating they understand the MAP and their role and responsibilities;
- Outdoor events requirement for an Operational Plan and licenced security if there are over 200 attendees;
- The increase in mandatory insurance coverage from two million to five million dollars for all alcohol related events, as recommended by the Waterloo Region Municipalities Insurance Pool;
- Updated list of mandatory on-site signage.

At that time, the Policy was deferred back to staff, with a request for additional consultation with Community Groups.

### **REPORT:**

In August 2020, staff re-circulated the revised Municipal Alcohol Policy to the Community Groups, Service Clubs and Sporting Organizations that commonly host alcohol related events in Township of Wilmot facilities. Along with the revised policy, staff included a “Frequently Asked Questions” document that addressed many of the concerns raised when the Policy was first presented. Local drinking and driving statistics were also circulated as provided by Waterloo Regional Police. A virtual meeting was held with interested groups on September 22<sup>nd</sup>, where Rob Clark, representative of the Waterloo Region Municipalities Insurance Pool reviewed the drinking and driving statistics, and staff were available to answer specific questions regarding the Municipal Alcohol Policy and supplemental information.

As a result of the additional public consultation, the following additional changes to the MAP were made:

- Definitions for Community Groups and Individual were added;
- Designated the lobby area of the New Hamburg Arena as an area where alcohol is permitted to be served;
- Clarified that the cost of the Municipal Representative would be the responsibility of the permit holder;
- Confirmed that all alcohol events require a minimum of one municipal representative in attendance regardless of the size of the event or who is running the event;
- Clarified in the Guest to Event Worker table security requirements for privately run events.

### **Communication Plan:**

The following steps were taken to ensure the MAP was been communicated to the appropriate parties:

- A copy of the MAP has been emailed to Community Groups and Service clubs and a follow up information meeting was hosted by Township staff and a representative from the Municipal Insurance provider, for the interested groups. Questions were answered by staff and Insurance Pool representatives to clarify the requirements. Some modifications as outlined above were made based on feedback from the groups;
- The revised MAP will be posted to the Township website for public access;
- Updated signage will be posted in applicable Township facilities.

The Region of Waterloo Public Health staff will continue to work with representatives from all municipalities within the Region to ensure the MAP is kept up to date as relevant legislative changes are made, or other pertinent issues arise.

Mr. Rob Clark, Risk & Claims Analyst with the Waterloo Region Municipalities Insurance Pool and Waterloo Regional Police Services will be in attendance at the Council meeting to answer questions from members of Council and will jointly participate in a power point presentation with Township staff.

### **ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:**

The Municipal Alcohol Policy promotes the enjoyment of quality of life through ensuring people's safety.

### **FINANCIAL CONSIDERATIONS:**

There will be a minimal financial implication with the implementation of this Policy. Some costs associated with printing the required signage to be displayed at the facilities will be incurred.

The shift from Municipal Bartenders to the new Facility Monitor position may result in minor revenue loss for the Township as fewer chargeable staff will be required, depending on the event. The additional costs for Insurance Liability coverage limits and security will be the responsibility of the renter.

### **ATTACHMENTS:**

Appendix A: Township of Wilmot, Municipal Alcohol Policy

Appendix B: Frequently asked Questions

Appendix C: Waterloo Regional Police Service Drinking and Driving Statistics

**APPENDIX A to Report PFRS 2020-015**

 <p><b>TOWNSHIP OF WILMOT</b></p>	<b>Governance Policy</b>
	Section: Facilities and Recreation Services <b>Municipal Alcohol Policy</b>
	<b>Policy #GP-004 Pg. 1 of 19</b>
Revision Date: November 2, 2020	Issue Date: January 1, 2021
Approved by:	Review Date:
Policy Owner: Parks, Facilities & Recreation Services	Policy Author: M. Jones, S. Jackson, P. Kelly

**PURPOSE**

The Municipal Alcohol Policy is intended to promote a safe, enjoyable environment and ensure the health and safety of participants and staff. This policy is in place to reduce alcohol-related problems such as injury, violence and liability which arise from alcohol consumption on municipal property.

**SCOPE**

The Municipal Alcohol Policy (MAP) outlines various stipulations and controls on events involving alcohol, including: Special Occasion Permits, liquor licensed events under a caterer's endorsement, and/or events in a municipally licensed facility. The MAP was created as a joint policy with neighbouring municipalities, and applicable agencies as outlined in the attached policy.

**STANDARDS AND PROCEDURES**

**Policy Objectives**

To provide procedures and education to individuals or community groups wishing to hold events in and/or on municipally owned facilities/properties in order to ensure that all Liquor Licence Act of Ontario legislation that pertains to Special Occasion Permits or liquor licensing is properly understood and strictly complied with.

To ensure appropriate supervision and operation of Special Occasion Permits and liquor licensed events in order to protect the event organizers, the participating public, volunteers, the Township of Wilmot, and its staff from liability by providing education in prevention and intervention techniques and through effective management procedures.

To encourage and reinforce responsible drinking practices for consumers through the development of operational procedures, controls, training and education, and to honour the decision of abstainers not to drink alcohol and encourage their participation by providing alternative, non-alcoholic drinks.

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## STANDARDS AND PROCEDURES (Continued)

### Roles and Responsibilities

#### **Municipal Representatives:**

Municipal representatives are responsible for ensuring the event organizer and/or designate are provided with written information outlining the conditions of the Municipal Alcohol Policy and ensuring that they comply with the Municipal Alcohol Policy, Liquor Licence Act of Ontario and its regulations at their event. The Township of Wilmot's representatives have the authority to demand correction and/or to shut down an event on behalf of the Township and will have ultimate authority regarding decision-making on the part of the event organizer. The Township of Wilmot representatives monitoring a liquor-licensed event shall be Smart Serve trained and competent in facility procedures.

#### **Event Organizer and/or Designate**

The event organizer and/or designate is responsible for the conduct and management of the event, including, but not limited to:

- Compliance with the Municipal Alcohol Policy in addition to all applicable federal, provincial and municipal laws, policies, guidelines, regulations and by-laws, including, without limitation, the and Liquor Licence Act of Ontario and its regulations
- Organization, planning, operating, and controlling set up and clean up of the event
- Ensuring there are a sufficient number of event workers
- Training of their designate and other event workers (all of whom must be 19 years of age or older)
- Posting the Special Occasion Permit (with any updates) in plain sight on the premises to which the permit applies or keep it in a place where it is readily available for inspection. Liquor sales receipts must be kept with the permit.
- Alcohol sales and service including the choice of beverages and to avoid the supply of fortified or extra strength drinks
- Ensuring that no one consumes alcohol in unauthorized locations
- The safety and sobriety of people attending the event including those persons asked to leave to control the event
- Ensuring safe transportation options (e.g., designated drivers, taxis) are available
- Responding to emergencies

The event organizer **MUST** read and sign the Checklist for Liquor Licensed Event Organizers (Appendix A) to indicate that they understand their responsibilities.

The event organizer must provide a copy of the Special Occasion Permit or Caterer's Endorsement and any updates to the Township of Wilmot **at least 30 days** prior to the start of the event.

**The event organizer and/or designate must attend the event for the entire duration** including clean up after the event and be responsible for decisions regarding the actual operation of the event.

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## STANDARDS AND PROCEDURES (Continued)

*Rationale: The event organizer is responsible for the behaviour of event participants and guests. The Liquor Licence Act of Ontario and its regulations and the Alcohol and Gaming Commission of Ontario's policies are established to ensure sensible and safe use of alcohol. The Township of Wilmot regulations are established to ensure safety of participants and responsible use of the facility.*

The event organizer and the Township of Wilmot must ensure the physical setting is safe at all times.

### **Definitions**

#### **Alcohol and Gaming Commission of Ontario (AGCO)**

For more information - [www.agco.on.ca/en/about/index.aspx](http://www.agco.on.ca/en/about/index.aspx)

#### **Caterer's Endorsement**

A liquor sales licence authorizing the applicant to sell and serve liquor for an event held on premises other than the premises to which the liquor sales licence applies.

#### **Community Group**

A group or organization which works for the public benefit and is based within the Township of Wilmot that has been granted official Community Group status by the Parks, Facilities and Recreation Department through the Affiliation Application process.

#### **Event**

For the purposes of this policy, an event is any gathering held at a municipal facility at which alcohol will be served and/or sold. They may include weddings, showers, dances, barbeques, birthday parties and any other event where alcohol will be served. The duration of the event includes event setup, operation and cleanup. Events involving alcohol may be in a licensed municipal facility or under a Special Occasion Permit.

**Public Events** - A public event is one which is open to the public to attend and is conducted by a registered charity or not for profit entity or an event of municipal, provincial, national or international significance.

**Private Event** – A private event is one which is not open to the public.

**Outdoor Event** - An outdoor event is one at which any alcohol is consumed in an outdoor space (including pavilions or temporary structures).

#### **Event Organizer**

Any person, who is 19 years of age or over, seeking to hold an event that involves the sale and/or service of alcohol at municipal premises. The event organizer (which term shall include the SOP permit holder and any designate) are responsible for the safety and sobriety of people attending the event as well as compliance with this Municipal Alcohol Policy and the Liquor Licence Act of Ontario and its regulations at the event. They assume responsibility and liability for the entire operation of the event. The event organizer MUST read and sign the Event Organizer Checklist for Liquor Licensed Events (Appendix A) to indicate that they understand their responsibilities.

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## STANDARDS AND PROCEDURES (Continued)

### Event Worker

Any person, who serves or sells liquor, or is involved in an event where alcohol is served on municipal property. All event workers have a responsibility in the operation of the event and shall not consume or be under the influence of alcohol for the entire duration of the event. In addition to the event organizer and permit holder, event workers may include the following:

**Floor supervisor** - A paid/volunteer person(s) appointed by the event organizer, who is over the age of 19 and who has satisfactorily proven to the event organizer that she/he will act in accordance with the MAP. A floor supervisor talks with participants, monitors patron behavior, monitors for intoxication and underage drinkers, responds to problems and complaints, assists door monitors when necessary, removes intoxicated persons, arranges safe transportation.

**Door monitor** - A paid/volunteer person(s) appointed by the event organizer, who is over the age of 19 and who has satisfactorily proven to the event organizer that she/he will act in accordance with the MAP. A door monitor checks identification and for signs of intoxication, keeps out intoxicated and troublesome persons, arranges for coat checking, monitors for those showing signs of intoxication when leaving the event, arranges safe transportation.

**Server/bartender** - A paid/volunteer person(s) appointed by the event organizer, who is over the age of 19 and who has satisfactorily proven to the event organizer that she/he has been trained by a recognized alcohol server training course to include Smart Serve and/or the Server Intervention Program. A server accepts tickets for the purchase of alcoholic drinks, serves drinks, monitors for intoxication and underage drinkers, refuses service when patron appears to be intoxicated or near intoxication, offers a non-alcoholic substitute and co-ordinates with event staff.

**Ticket seller** - A paid/volunteer person(s) appointed by the event organizer, who is over the age of 19 and who has satisfactorily proven to the event organizer that she/he will act in accordance with the Municipal Alcohol Policy. A ticket seller sells alcohol tickets to a maximum of four per person per purchase, monitors for intoxication and underage drinkers, refuses sale to patrons at or near intoxication, refunds tickets on request.

### Individual

For the purposes of this document, an individual refers to a person who is hosting an event for personal purposes rather than on behalf of an organization (i.e. Family Reunion, Wedding)

### Licensed Security

Security personnel monitoring entrances and patrolling licensed areas must be licensed under the Private Security and Investigative Services Act, to ensure the safety and security of the establishment, its employees and patrons. For more information go to - [www.agco.on.ca](http://www.agco.on.ca).

### Liquor Licence Act

Each province or territory has a Liquor Licence Act which outlines the laws regarding the sale and service of alcohol. (<http://www.agco.on.ca/en/whatwedo/index.aspx>)

### Municipal Alcohol Policy

A local policy for municipalities to manage events held at municipally owned facilities and properties when alcohol is sold and/or served.

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## STANDARDS AND PROCEDURES (Continued)

### **Municipal Properties**

All municipally owned or leased lands, buildings and structures.

### **Municipal Representative**

Township of Wilmot staff or a designate who attends and monitors the event on behalf of the Township of Wilmot and monitors compliance with the Municipal Alcohol Policy.

### **Religious Function**

A religious occasion does not include events like a “stag and doe”, anniversaries or birthdays.

### **Smart Serve**

The Smart Serve training program offered by Smart Serve Ontario (<https://www.smartserve.ca>) is designed to train staff and volunteers who work in areas where alcohol is sold and/or served, such as in bars, restaurants, banquet halls and other public facilities. The Smart Serve Program is the only server training program that is recognized by the Alcohol and Gaming Commission of Ontario and approved by this policy.

### **Special Occasion Permit (SOP)**

A liquor licence issued by the Alcohol and Gaming Commission of Ontario for one-time social events where alcohol will be sold and/or served

([http://www.agco.on.ca/en/services/permit\\_special\\_gpb.aspx](http://www.agco.on.ca/en/services/permit_special_gpb.aspx)).

**SOP Holder (Permit Holder)** – is the individual who signs the application for a Special Occasion Permit to sell and/or serve alcohol. A special occasion permit holder can assign a designate. A designate is a person(s) appointed by the special occasion permit holder, and acceptable to the Township of Wilmot who is over the age of 19 and who has satisfactorily proven to the special occasion permit holder that she/he will act in accordance with the Municipal Alcohol Policy. The event organizer, the special occasion permit holder and/or designate are responsible for the safety and sobriety of people attending the event as well as compliance with the Municipal Alcohol Policy and the Liquor Licence Act of Ontario and its regulations at the event. They assume responsibility and liability for the entire operation of the event.

### **Standard Drink**

The minimum price for a standard drink must be two dollars. The Liquor Licence Act of Ontario defines a standard drink as a serving of liquor by volume and type, as follows:

- 12 oz. or 341 ml. of beer with 5% alcohol, OR
- 5 oz. or 142 ml. of wine with 12% alcohol, OR
- 3 oz. or 85 ml. of fortified wine with 14.9 or more % alcohol, OR
- 1 oz. or 29 ml. of spirits with 40% alcohol

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## STANDARDS AND PROCEDURES (Continued)

### Designation of Properties and Events

#### Designation of Properties

The following municipal facilities and areas are either licensed or designated as **suitable** for events involving alcohol subject to the event organizer obtaining a Special Occasion Permit or a Liquor Licence through a caterer's endorsement issued by the Alcohol and Gaming Commission of Ontario and agreeing to conditions as set out by the Township of Wilmot:

- District Fire Halls\*\*
- Haysville Community Centre
- Mannheim Community Centre
- Mannheim Park
- New Dundee Community Centre and Park
- New Dundee Park
- New Hamburg Arena Floor
- New Hamburg Community Centre
- Lobby Area of the New Hamburg Arena
- Norm S. Hill Park, New Hamburg
- Petersburg Park
- St. Agatha Community Centre
- St. Agatha Lions Park
- Sir Adam Beck Park (Baden)
- Township of Wilmot Administration Office/Civic Centre/Castle Kilbride\*\*
- Wilmot Recreation Complex: Arena Floor, Wilmot Community Centre and Upper Lobby \*\*
- William Scott Park (New Hamburg)

\*\* Some in-house policies and guidelines apply

The following municipal facilities and areas are not licensed or suitable for an event involving alcohol:

- Athletic and playing fields
- Kirkpatrick Park
- Parking lots
- Spectator areas of arenas and sports fields
- Dressing rooms/change rooms
- Open park areas, trails and woodlots
- Naturalized Parkland/Open Space
- Neighbourhood Parks
- Playground areas
- Wilmot Arboretum

The Township of Wilmot has no legal obligation to allow licenced events to be held on its property. If the Township so chooses, it may impose on the event whatever restrictions it deems appropriate in the circumstances.

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## STANDARDS AND PROCEDURES (Continued)

*Rationale: Alcoholic beverages are only allowed in licensed municipal facilities or facilities designated as being suitable for conducting a Special Occasion Permit function. Many of the areas noted as not suitable are regarded as inappropriate to provide approval for a permit by the Alcohol and Gaming Commission of Ontario.*

### **Designation of Events:**

The serving of alcohol shall not be permitted at any events where the focus of the event marketing is for youth under 19 years of age.

*Rationale: The deciding factor for events involving alcohol will be determined by the focus of the events. Those events where the primary focus involves minors will not be allowed. Non-consumption by participating adults provides a positive example for young people.*

### **Conditions for Events Involving Alcohol:**

#### **Insurance**

The event organizer must provide proof of insurance by way of submitting an original Certificate of Liability Insurance to the Township of Wilmot a minimum of 30 days prior to occupying municipal premises for the event. The Certificate of Liability Insurance must be in effect for date(s) where municipal property is being used or occupied by the event organizer including, without limitation, set-up and take-down. Failure to provide proof of liability insurance will result in the rental being cancelled.

*Rationale: Case law indicates that judges and juries are sympathetic toward the injured plaintiff. Special occasion permit holders, the Township of Wilmot, the event organizer and volunteers could be named in a lawsuit. Municipalities can be jointly liable and could end up paying the predominant share of an award to a plaintiff should the event sponsor be uninsured.*

*By requiring the renter to obtain insurance coverage, the municipality is clearly communicating to the event organizers that risks are involved in operating alcohol related events and that they require additional insurance coverage and risk management strategies to prevent problems from developing that could result in a lawsuit.*

*If a person is injured and if the Township of Wilmot were to be found "jointly and severally" liable. The Township could end up paying the total judgement should the Special Occasion Permit Holder be inadequately insured. In addition to costing the municipality to settle the award, the municipality might have difficulty obtaining continued insurance coverage.*

#### **All Rentals**

The Certificate of Liability Insurance shall:

- Provide proof of a minimum of **five million dollars** general liability insurance issued by an insurance company satisfactory to the Township of Wilmot that is licensed to carry on business in Ontario and which must at a minimum include the following:
  - a) The Township of Wilmot shown as an additional insured on the policy
  - b) Coverage for bodily injury and property damage liability
  - c) A host liquor liability endorsement

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## STANDARDS AND PROCEDURES (Continued)

- d) Tenants liability endorsement
  - e) Products and completed operations liability
  - f) Cross Liability and Severability of Interest provision
  - g) Personal injury liability
  - h) Advertiser's liability
  - i) Thirty (30) day notice of cancellation provision
- Show that coverage is in effect on the date(s) of the event
  - Be delivered to the supervisor having operational jurisdiction at the event location at least **30 days** prior to the start of the event. The following information must be provided:
    - Certificate of liability insurance
    - Policy number
    - Company name
    - Expiry date
    - Amount of Insurance coverage
    - An endorsement from the insurance company that they are aware of the Special Occasion Permit event and that coverage is in place including date and location of the event and name and address of the Special Occasion Permit holder

The Township of Wilmot reserves the right to amend the insurance and provisions required at any time.

### Advertising

All advertising must comply with the Alcohol and Gaming Commission of Ontario advertising policies and guidelines. Alcohol and Gaming Commission of Ontario policy states that, a permit holder for a private event special occasion permit is not permitted to advertise or promote liquor or the availability of liquor.

At events where children and youth are allowed entry, the event organizer shall not allow promotional advertising of alcoholic beverages' names, brands or manufacturers.

*Rationale: Alcohol advertising influences people of all ages (including youth) to consume alcohol.*

### Event Worker Training and Staffing Levels

The event organizer is responsible to:

- Ensure event workers are in attendance and as needed to monitor, manage and control the event
- Ensure event workers wear an identification (I.D.) name tag and/or clothing so that they can be easily identified. (Provision of this identification and clothing is the responsibility of the event organizer and/or designate. The type of identification worn by the event workers must be stated on the Checklist for Liquor Licensed Event Organizers form (Appendix A.)

It is mandatory that all bartenders are Smart Serve trained and recommended they have Safer Bars training or de-escalation of violence training.

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## STANDARDS AND PROCEDURES (Continued)

The event organizer shall provide a list, at least 30 days prior to the event, of:

- A) All servers and proof of Smart Serve certification (including their certification numbers)
- B) Security staff and security licence numbers

The event organizer, door monitors, floor supervisors, and servers **shall not consume alcohol** during or after the event is concluded, nor shall they be under the influence of any alcohol or other substance during the event.

*Rationale: Event workers must be adequately trained, prepared, available, and monitoring for the duration of the event. Having clearly identifiable event workers ensures that participants can quickly contact an event worker should problems occur. Smart Serve training provides education on signs of intoxication and will assist in the important task of preventing problems before they occur. The law clearly states that the special occasion permit holder has a "duty to control" - that is, to protect participants from foreseeable harm to themselves or others. Event workers **must not consume alcohol** since, if an incident were to occur, it would be difficult to demonstrate control.*

It is the responsibility of the event organizer to ensure there are sufficient door monitors (monitoring all entrance and access points to ensure controls are properly managed) and floor supervisors (assisting in managing a person who is refused sale, crowd control and de-escalations of violence:

- The entrance to the event must be monitored by responsible person(s) meeting the age of majority requirements at all times. These monitors shall further observe persons that may be attempting to enter the premises that appear to be intoxicated or have a history of causing problems at events.
- The event organizer has the right to deny entry to any person.
- When persons under the age of majority are found to have consumed or to be consuming alcohol at an event where alcohol is served, the authorities shall be called.

*Rationale: Monitoring all access points to the licensed area is necessary to prevent underage, disruptive or intoxicated people from entering an event and considerably reduces the likelihood of problems occurring. It is best practice to have the entrance to the event monitored by responsible person(s) meeting the age of majority requirements at all times as this requires someone some one mature.*

### **Security Staff and Security Licence Numbers**

The Township of Wilmot requires the presence of paid duty police officer(s) or licensed private security, from 10:00 p.m. – 2:00 a.m. for licensed events organized by individuals, at which the general public is admitted. All costs associated therewith shall be borne by the event organizer.

*Rationale: The presence of security and/or paid duty police officers can act as a deterrent to potential disruptive behaviour.*

A minimum of one Municipal Representative is required to attend events where alcohol will be served, and all costs associated therewith shall be borne by the event organizer

**STANDARDS AND PROCEDURES (Continued)**

Minimum event worker numbers are required on an event worker versus guest ratio basis as described in the table “Guest to Event Worker Ratios”. The Township of Wilmot reserves the right to increase the minimum number or types of event workers on an event-by-event basis. This includes the provision of both police and/or licensed security.

**Guest to Event Worker Ratios**

Number of Guests	Minimum Number of Event Workers				Minimum Number of Security
	Bartenders	Door Monitors*	Floor Supervisors**	Ticket Sellers	Licensed Security Workers *for privately run events see note in section 3.3
Up to and including 100	1	Monitor at each access point	1	0	0 *
101 to 200	2	Monitor at each access point	2 (+1 for outdoor events)	1	0 *
201 to 300	2	Monitor at each access point	3 (+1 for outdoor events)	2	(1 for outdoor events)
301 to 400	3	Monitor at each access point	3 (+1 for outdoor events)	2	(1 for outdoor events)
401 to 500	3	Monitor at each access point	4 (+1 for outdoor events)	2	1 (+1 for outdoor events)
501 to 600	4	Monitor at each access point	5 (+2 for outdoor events)	3	1 (+1 for outdoor events)
601 to 700	4	Monitor at each access point	6 (+2 for outdoor events)	3	2 *** (+1 for outdoor events)
701 to 800	5	Monitor at each access point	7 (+2 for outdoor events)	3	2 *** (+1 for outdoor events)
801 to 900	5	Monitor at each access point	7 (+2 for outdoor events)	4	3 *** (+1 for outdoor events)
901 to 1,000	6	Monitor at each access point	8 (+2 for outdoor events)	4	3 *** (+1 for outdoor events)

\* All access points to the licensed area must be monitored. Each venue will require a varying number of door monitors depending on the layout of the venue.

\*\* The event organizer or official designate can be a floor supervisor.

\*\*\* For events over 600 guests, at least 50% of the required licensed security workers shall be paid duty police officers.

For any event that allows admittance to minors, additional floor monitors may be required.

For every additional 150 guests over 1,000, an additional bartender and an additional floor monitor are required. For every additional 300 guests over 1,000, an additional ticket seller is required. For every additional 200 guests over 1,000, an additional licensed security worker is required.

For all outdoor events and all events with more than 1,000 guests, an operational plan must be developed with the Alcohol and Gaming Commission of Ontario and the Township of Wilmot in order to ensure that all aspects of public safety are addressed (including Emergency Medical Service [ambulance], fire, security, etc.). The operational plan must be submitted to the Township of Wilmot at least 30 days prior to the event. (e.g., Emergency Medical Service [ambulance], fire, security, etc.) All costs associated with preparing and complying with security

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## STANDARDS AND PROCEDURES (Continued)

and operational plans shall be borne by the event organizer and/or designate unless otherwise agreed upon in writing by the event organizer and the municipal representative.

Required licensed security or paid duty police officers for any events are the responsibility of the event organizer and all costs associated therewith shall be borne by the event organizer.

*Rationale: The presence of security and/or paid duty police officers can act as a deterrent to potential disruptive behaviour.*

### Enforcement Procedures

If drunkenness, riotous, quarrelsome, violent, and aggressive and/or disorderly conduct or unlawful gaming is observed at the event, the organizer and their event workers shall:

- First ask the offending person to leave, and
- If the person refuses to leave, call the Police
- Seek any necessary assistance to maintain control and management of the event and ensure the safety and protection of persons, including event workers.

The event organizer, event worker or municipal representative must notify the Police if they observe signs that a situation is getting out of control.

*Rationale: The law clearly states that the event organizer has a "duty to control" - that is, to protect participants from foreseeable harm to themselves or others.*

### Prevention Strategies

The following controls and prevention strategies related to selling and serving alcohol shall be in place:

- Alcohol shall not be served to anyone under the age of 19 (minors). Minors are not allowed to consume alcohol on the premises. Outdoor public events which allow admittance to **minors** must implement a wrist band policy or have a fenced licensed area where alcohol is only served to and consumed by those 19 years of age and older. Additional floor monitors are recommended if alcohol is being served in the presence of minors.
  - Alcohol shall not be served to anyone who may appear intoxicated.
  - Closing time is 1:00 a.m. unless hours of operation for the facility are posted differently. Ticket sales and alcohol service shall cease at least 45 minutes prior to the end of the licensed period of the event. All alcohol and its containers (which include empty cups/glasses) shall be cleared away no more than 45 minutes after the end of the licensed event as listed on the Special Occasion Permit.
  - Last call shall not be announced.
  - Separate tickets for alcohol must be sold at all public events. Ticket sales for alcohol shall be limited to 4 tickets at one time per person. Unused tickets for alcoholic beverages can be redeemed at anytime during the event.
  - Alcoholic service shall be limited to two drinks per person at one time. Alcohol cannot be left available for self-serving.
  - Drinks **MUST** be served in re-usable, recyclable or compostable cups and a different colour of cup shall be used for non-alcoholic drinks. For formal dinner settings, glass vessels may be used for serving/consuming alcohol. Glass must be removed at the conclusion of the dinner.
-

## STANDARDS AND PROCEDURES (Continued)

- All outdoor licensed areas are required to have a barrier at least 0.9 metres high. Higher barriers and additional criteria may be required at the discretion of the Township of Wilmot.

*Rationale: Last call usually results in high and rapid consumption and results in high blood alcohol levels which may peak after an event and lead to impaired driving. Selling tickets slows down the rate of consumption as people are required to make two stops before getting their drinks. Selling tickets provides ticket sellers and bartenders with the opportunity to look for signs of intoxication and to read the climate of the event. By limiting the number of tickets per purchase, event workers are provided with additional opportunities to verify the sobriety of patrons. Redeeming unused tickets could help avoid a confrontation with a patron who may be nearing intoxication but who wishes to purchase additional drinks in order to get his/her money's worth. Should a drink be dropped, plastic cups do not break. If a patron becomes belligerent, a broken beer bottle could be used as a weapon.*

The following controls and prevention strategies related to types of available drinks shall be in place:

- Event workers are to encourage patrons to consume food, non-alcoholic and low alcohol beverages. Non-alcoholic drinks must be available at no charge or at a cost much lower than that of drinks containing alcohol.
- Identified designated drivers receive free non-alcoholic drinks (such as coffee, pop, juice).
- At least 30% of the available alcohol consists of low-alcohol beverages (e.g., 4% and 2.5% beer).
- No fortified drinks or extra-strength drinks shall be sold. Beer products with more than 5% alcohol, wine products with more than 12% alcohol and spirits with more than 40% alcohol, are considered "fortified" alcohol products. Beer and coolers are not to exceed 5% alcohol content (standard drink measure).
- Pre-made alcoholic drinks, such as jello shooters and punches, etc. are **NOT** allowed.
- No energy drinks (with or without alcohol in them) shall be sold.
- Homemade alcohol shall not be allowed at any Special Occasion Permit function, with the exception of homemade wine or beer at a religious function listed under a NO SALE reception permit, as defined by the Alcohol and Gaming Commission of Ontario. Where wine is provided with a meal, a non-alcoholic substitute (such as water, pop or juice) must be provided to ensure that children and abstainers are included in toasting the celebrants.
- No persons shall be allowed to bring in their own alcohol to the event or allowed to pour their own alcoholic drinks.
- Any raffles/prize draws must be licensed. Contact Clerk's Services at 519-634-8444 ext 228 to inquire about eligibility.
- Marketing practices which encourage increased consumption of alcohol (e.g., oversized drinks, double shots, pitchers, drinking contests, jello shooters, volume discounts) are not permitted.

*Rationale: The availability of non-alcoholic beverages supports designated driver initiatives and a safe transportation strategy. Low alcohol drinks can reduce the consumption of alcohol and reduce the likelihood of intoxication and impaired driving while permitting participants to socialize throughout the evening without becoming intoxicated. Consumption of energy drinks may mask signs of intoxication and should not be mixed with alcohol. Jello shooters may not be standard serving size and intoxication may occur at a faster rate.*

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## STANDARDS AND PROCEDURES (Continued)

### Safe Transportation

Event organizers are responsible to take the necessary steps to reduce the possibility of impaired driving. As a condition of rental, the event organizer must have a Safe Transportation Strategy in effect. Elements of a Safe Transportation Strategy could potentially include:

- Providing non-alcoholic beverages either at no charge or at a cost much lower than that of drinks containing alcohol
- Providing alternate means of transportation for those who are suspected to be intoxicated (i.e., call a friend, relative, or taxi)
- Calling police if someone who is suspected to be impaired cannot be convinced to use alternate transportation.
- Providing a designated driver program which encourages and identifies designated driver.

The designated driver program and relevant local taxi phone numbers must be prominently posted. Alternate means of transportation shall be provided for all those suspected to be intoxicated. All advertising for the event should indicate that a designated driver program is in effect.

*Rationale: A Safe Transportation Strategy helps to ensure that no one who is the driver of a motorized vehicle is impaired when leaving an event from a municipal facility. An impaired driver leaving an alcohol related event is one of the greatest risks of liability.*

### Signage

During events where alcohol is served, the following signage, which is approved by the Township of Wilmot shall be displayed in prominent locations:

Signage at one or more prominent places in the licensed/bar area:

**Please drink responsibly.**

- Bartenders reserve the right to refuse service. Bartenders cannot serve alcohol to anyone who is intoxicated or appears to be at the point of intoxication.
- Bartenders cannot serve alcohol to anyone under 19 years of age. Proper I.D. must be presented to event staff when requested.
- You can only be served a maximum of two alcoholic drinks at any one time.
- You may redeem unused tickets for cash anytime during the event.
- There will be no "LAST CALL".

**Thank you for not drinking and driving.**

Call a friend, relative or taxi. Local taxi phone numbers are: \_\_\_ Waterloo Taxi  
888-7777 - New Hamburg Taxi 662-3240 \_\_\_\_\_  
The R.I.D.E. program is in effect in our community.  
Use a designated driver.

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## STANDARDS AND PROCEDURES (Continued)

Signage at one or more prominent places in the licensed/bar area:

**If there is an emergency call 9-1-1**

For a non-emergency, please call Waterloo Regional Police at (519) 653-7700.  
[Rural municipalities would use (519) 570-3000]

You are at \_\_\_[space for the name and address of facility for emergency response] \_\_\_\_\_

Signage to be posted at the boundaries of the licensed/bar area:

**No alcohol beyond this point.**

**Thank you for not drinking and driving.**

Call a friend, relative or taxi. Local taxi phone numbers are: \_\_\_Waterloo Taxi  
888-7777 - New Hamburg Taxi 662-3240 \_\_\_\_\_

The R.I.D.E. program is in effect in our community.

Use a designated driver.

Other Signs to be posted in one or more prominent places in the licensed/bar area:

Sandy's Law sign (regarding alcohol and pregnancy)

"What is a standard drink?" sign

Low Risk Drinking Guidelines sign

Where applicable, the event organizer shall post the Special Occasion Permit (with any updates) in plain view on the premises to which the permit applies or shall keep it in a place where it is readily available for inspection.

*Rationale: Signs provide direction to guests and provide support to servers and supervisors. Servers are required by law not to serve an intoxicated person, nor to serve anyone to the point of intoxication.*

## **Infractions and Violations**

### **Duty to Report**

The event organizer has the duty to report to the municipal representative issues with details of any incident that:

- The event organizer and/or designate are aware of or has been made aware of any Liquor License Act of Ontario or Municipal Alcohol Policy violations
- Where an Alcohol and Gaming Commission of Ontario Inspector under the Liquor License Act of Ontario has reported any incident or violation
- Involves bodily injury or property damage

## **STANDARDS AND PROCEDURES (Continued)**

Police shall be informed by the event organizer and/or designate as appropriate. Reports shall be made no later than two days after the conclusion of the event but shall be made immediately when repairs or other action is required to make municipality property secure or safe for use.

The Township of Wilmot representatives shall report any infraction of this policy to the police and/or Alcohol and Gaming Commission of Ontario whenever they believe such action is required.

*Rationale: The law clearly states that the permit holder has a "duty to control" - that is, to protect participants from foreseeable harm to themselves or others. Although police will be called if a situation becomes risky, it is the responsibility of the event organizer to ensure proper management of an event.*

### **Failure to Comply and Penalties**

Where there has been a failure to comply with the Liquor License Act of Ontario, the police or the Alcohol and Gaming Commission of Ontario inspector may intervene for enforcement purposes and may, at their discretion or other authority, terminate the event. The Township of Wilmot may similarly cancel, intervene or terminate the event for violations of the MAP. It remains the responsibility of the event organizer and/or designate to manage the event and to take appropriate actions, including ending the event, vacating municipal property, maintaining insurance, any conditions of insurance, and providing safe transportation options.

Regardless of the reason for termination of the event, the Township of Wilmot will not be responsible for any compensation to the event organizer and/or designate or affected persons of their resulting financial, or other losses.

The Township of Wilmot shall subsequently inform the event organizer and/or designate and any organization they represent, via registered letter, that there has been a violation of the policy and any imposed consequences or penalties.

Additional short term and longer-term penalties for failure to comply may include, but are not limited to:

- Loss of privilege to hold an event involving alcohol in a municipal property or facility
- Loss of any future use or rental of any or all municipal properties
- Ban or suspension of persons involved in the infractions from any or all municipal properties for any term

*Rationale: The event organizer needs to be aware of the consequences of not following the Municipal Alcohol Policy or Liquor License Act of Ontario regulations.*

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## **EVALUATION**

The Municipal Alcohol Policy shall undergo an annual review based on change within the industry standards and shall be updated as required. Region of Waterloo Public Health will facilitate an annual opportunity to review and discuss municipal alcohol policies in Waterloo Region.

*Rationale: Reviewing this policy regularly permits policy changes to meet changing community needs, the addition of new facilities, new program demands, as well as any future changes to the Liquor Licence Act of Ontario and its regulations.*

The Township of Wilmot reserves the right to make discretionary changes to this Municipal Alcohol Policy at any time and will advise the event organizer of any such changes prior to the event.

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### **LEGISLATIVE REPORTING REQUIREMENTS**

The event organizer and/or designate are legally responsible for ensuring compliance with the Municipal Alcohol Policy, Liquor Licence Act of Ontario and Alcohol and Gaming Commission of Ontario policies and guidelines.

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## Appendix A: Event Organizer Checklist for Liquor Licensed Events

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(This checklist must be signed and submitted to the Township of Wilmot with all supporting information, at least 30 days before the event. (See the Municipal Alcohol Policy for additional information).

1. Name of Event: \_\_\_\_\_
2. Location of Event: \_\_\_\_\_
3. Date and Time of Event: \_\_\_\_\_
4. Estimated Attendance: \_\_\_\_\_
5. Will persons under 19 years of age be attending this event? Yes  No
6. Name of event organizer (the person and/or group sponsoring/hosting this event): \_\_\_\_\_  
\_\_\_\_\_

7. Name of Special Occasion Permit holder (if applicable) and all official designates:

SOP Holder

Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

Official Designates

Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

8. Copy of the SOP permit has been provided? Yes  Date Received: \_\_\_\_\_
9. Has proof of liability insurance been provided? Yes  Date Received: \_\_\_\_\_
10. The safe transportation strategies that will be used at this licensed event are:
  - a) \_\_\_\_\_
  - b) \_\_\_\_\_
  - c) \_\_\_\_\_

11. Type of identification for event workers (please describe): \_\_\_\_\_  
\_\_\_\_\_

12. List the names and certification numbers of the Smart Serve trained event workers for this licensed event:

Name	Certification Number
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

(Proof of certification may be required.)

13. List the names and security licence numbers for security staff for this event:

Name	Security Licence Number
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

(Proof of certification must be available on request.)

14. The undersigned (event organizer) has received the Municipal Alcohol Policy and has read and understood the information and requirements contained therein. Yes

Please note that if there is anything that you do not understand with respect to this Policy **it is your responsibility** to contact the Township of Wilmot staff (phone :519-634-9225) to obtain clarification and understanding prior to signing this Event Organizer Checklist.

*By signing this Event Organizer Checklist, the undersigned hereby agrees, on behalf of itself/himself/herself and on behalf of its/his/her partners, employees, volunteers, agents, executors, administrators and assigns, as the case may be, to comply with all of the obligations, terms and conditions of the Municipal Alcohol Policy.*

Signed at \_\_\_\_\_, Ontario this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

_____ Name of Corporate Event Organizer
Per: _____
Name: _____
Title: _____
I have authority to bind the corporation.

OR

_____ Name of Individual Event Organizer
_____ Signature of Event Organizer
_____ Name of Witness
_____ Signature of Witness

## Appendix B: Common Alcohol Policy Template

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This template was drafted by the following:

- Municipal Insurance Pool City of Kitchener
- Frank Cowan Company
- City of Waterloo
- Township of Woolwich
- Township of Wellesley
- Risk Management, Region of Waterloo
- Township of Wilmot
- Region of Waterloo Public Health
- Alcohol & Gaming Commission of Ontario
- City of Cambridge
- City of Kitchener
- Region of Waterloo Museum
- Township of North Dumfries
- Region of Waterloo

The policy template has been reviewed by Arlene Metz, Solicitor, Corporate, The Regional Municipality of Waterloo, Legal Services Division and Craig Smith, Manager Risk Management Services, The Regional Municipality of Waterloo.

This document has been compiled from various local and best-practice Municipal Alcohol Policies (MAPs). Policy examples included local MAPs, policy examples from Goderich, Grey-Highlands, and Hamilton, as well as policies reflecting best practice compiled by the Ontario Recreation Facilities Association and the Centre for Addictions and Mental Health.

## APPENDIX B to Report PFRS 2020-015

### MUNICIPAL ALCOHOL POLICY (MAP) – FREQUENTLY ASKED QUESTIONS

**Q1.** We host a large outdoor community event with a beer tent. Our event normally draws more than 1000 people. Does that mean that we need to provide staffing for over 1000 guests as indicated in the “Guest to Event Worker Ratios table”?

**A1.** No – the numbers used in the guest to event workers table is determined by the capacity inside your beer tent/serving area. Therefore, even if your event draws over 1000 people, if your beer tent only has a capacity of 100 guests, then that is the number you would use. Therefore, providing 1 bartender, 1 entrance monitor per entrance and 1 floor supervisor. If your beer tent has a capacity of 200 guests, then you would provide 2 bartenders, 1 entrance monitor per entrance, 2 floor supervisors and 1 ticket seller. For outdoor events, there is no licensed security requirement unless the capacity of your beer tent is over 200, and over 400 for indoor events. To ensure that best practices are met, the ratio has been compared to other municipalities in our area and found to be consistent with others.

**Q2.** We have operated our event successfully for many years without Township staff present, why do we require a Township employee at our event now (i.e. Municipal Representative)?

**A2.** As owners of the property, the Township must satisfy the Occupiers Liability Act (R.S.O. 1990, CHAPTER O.2) to ensure participant safety and to protect the Township from liability. The responsibilities of the Township employee include monitoring the event for compliance with the Alcohol and Gaming Act and the Municipal Alcohol Policy and assisting event organizers if participants engage in inappropriate behaviour which requires removal from the event or police intervention. Their presence is intended to support your organization however possible to ensure a successful event.

Under Ontario law, an establishment and its ownership can be held responsible for overserving someone. "The law requires that liquor sales licensees do not serve anyone to the point of intoxication," a handout on the Alcohol and Gaming Commission of Ontario's website reads in part. "If there is an intoxicated person on the licensed premises, licensees may be held civilly responsible for the person's conduct." (...) The following article highlights the second time in less than a year that a Waterloo Region establishment has been charged in connection to an impaired driving death. <https://kitchener.ctvnews.ca/mobile/restaurant-owners-and-staff-charged-under-ontario-s-liquor-licence-act-after-fatal-crash-1.4831955>

**Q3.** Licensed Security will cost too much.

**A3.** As noted previously, licensed security is not required unless the capacity of your licensed area exceeds 200 for outdoor events, and 400 for indoor events.

The current cost for licensed security is between \$27 - \$40/hour per guard (as at April 2020). Police are more expensive.

Having paid security at your event provides a safety measure that supports volunteer organizers if participants contravene the MAP. They may also help prevent facility damage which would become the event organizers responsibility to otherwise repair. The presence of security will assist event organizers with enforcement of the MAP which will contribute to a successful event.

Some ways that you can offset this cost include:

- Decreasing the serving hours on your Special Occasion Permit (i.e. rather than 11am
  - 11pm perhaps change the hours to 5pm – 11pm), as Security is only required from the start time of your Special Occasion Permit, until the close of the event.
- Limiting the size of your licensed area
- Increasing the price of your beverages

**Q4.** My event does not have the same risk level that a buck and doe would, so should not be treated the same.

**A4.** These events are not treated the same. Buck and Does are required to have licensed security at their event regardless of the number of guests attending (a policy that has been in effect since 2006)

**Q5.** Drinking and driving is not as much of an issue in small Townships as it is in cities like Kitchener, so should not be treated the same.

**A5.** According to Waterloo Regional Police Services, the Rural municipalities accounted for 11% of all Impaired charges in the Region. While this is proportionate relative to the population of rural communities, what is troubling is that 38 of the 83 rural charges were laid in the Township of Wilmot making it the highest of all rural municipalities at 46%.

Alcohol event concerns are not only about drinking and driving. The law requires that liquor sales licensees do not serve anyone to the point of intoxication. If there is an intoxicated person on the licensed premises, event organizers may be held civilly

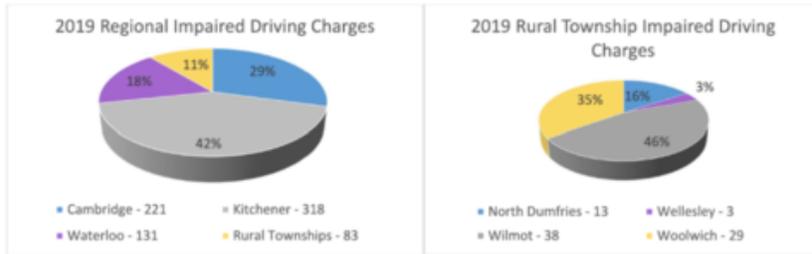
responsible for that person's conduct. In a notable lawsuit, event organizers have been ordered to pay \$88,000 to the relatives of a man who became intoxicated at two premises and died after falling down a flight of stairs. The Ontario Courts have ruled that an operator of a licensed premise "...owes a twofold duty of care to its patrons. It must ensure that it does not serve alcohol which would apparently intoxicate or increase the patron's intoxication. As well, it must take positive steps to protect patrons and others from the dangers of intoxication"  
<https://www.agco.ca/sites/default/files/you-and-the-liquor-laws-jan-2019e.pdf>

**Q6.** Are all other municipalities in the Region using the same alcohol policy?

**A6.** Yes, all municipalities within the region including the three other townships participated in the creation of the common Municipal Alcohol Policy template and have approved and implemented the policy.

# Appendix C: Waterloo Regional Police Service Drinking and Driving Statistics

## Impaired Driving Statistics - WRPS



Population of Kitchener: 242,368

Impaired Driving Charges per capita: 0.0013

Population of Wilmot: 20,545: 0.0018

Wilmot has 138% of the impaired driving charges of Kitchener per capita



*Wilmot is a cohesive, vibrant and welcoming countryside community.*





TOWNSHIP  
OF WILMOT

# Municipal Alcohol Policy

November 2, 2020

*Wilmot is a cohesive, vibrant and welcoming countryside community.*

# Why Are We Here?



*Wilmot is a cohesive, vibrant and welcoming countryside community.*



**TOWNSHIP  
OF WILMOT**

# Highlights of Recent Updates:

- Added definitions for Community Groups and Individual
- Designated the lobby area of the New Hamburg Arena as an area where alcohol is permitted to be served
- Clarification that the cost of the Municipal Representative would be the responsibility of the permit holder
- Confirmed that all alcohol events require a minimum of one municipal representative in attendance regardless of the size of the event or who is running the event
- Clarified in the Guest to Event Worker table security requirements for privately run events

# Frequently Asked Questions:

**Q.** We host a large outdoor community event with a beer tent. Our event normally draws more than 1000 people. Does that mean that we need to provide staffing for over 1000 guests as indicated in the “Guest to Event Worker Ratios table”?

**A.** No – the numbers used in the guest to event workers table is determined by the capacity inside your beer tent/serving area.



# Frequently Asked Questions:

**Q.** We have operated our event successfully for many years without Township staff present, why do we require a Township employee at our event now (i.e. Municipal Representative)?

**A.** As owners of the property, the Township must satisfy the Occupiers Liability Act (R.S.O. 1990, CHAPTER O.2) to ensure participant safety and to protect the Township from liability.



# Frequently Asked Questions:

**Q.** Licensed Security will cost too much.

**A.** Licensed security is not required unless the capacity of your licensed area exceeds 200 for outdoor events, and 400 for indoor events.

The current cost for licensed security is between \$27 - \$40/hour per guard (as at April 2020). Police are more expensive.

# Frequently Asked Questions:

**Q.** My event does not have the same risk level that a buck and doe would, so why are we treated the same?

**A.** These events are not treated the same. Buck and Does are required to have licensed security at their event regardless of the number of guests attending.



# Frequently Asked Questions:

**Q.** Are all other municipalities in the Region using the same alcohol policy?

**A.** Yes, all municipalities within the region including the three other townships participated in the creation of the common Municipal Alcohol Policy template and have approved and implemented the policy.



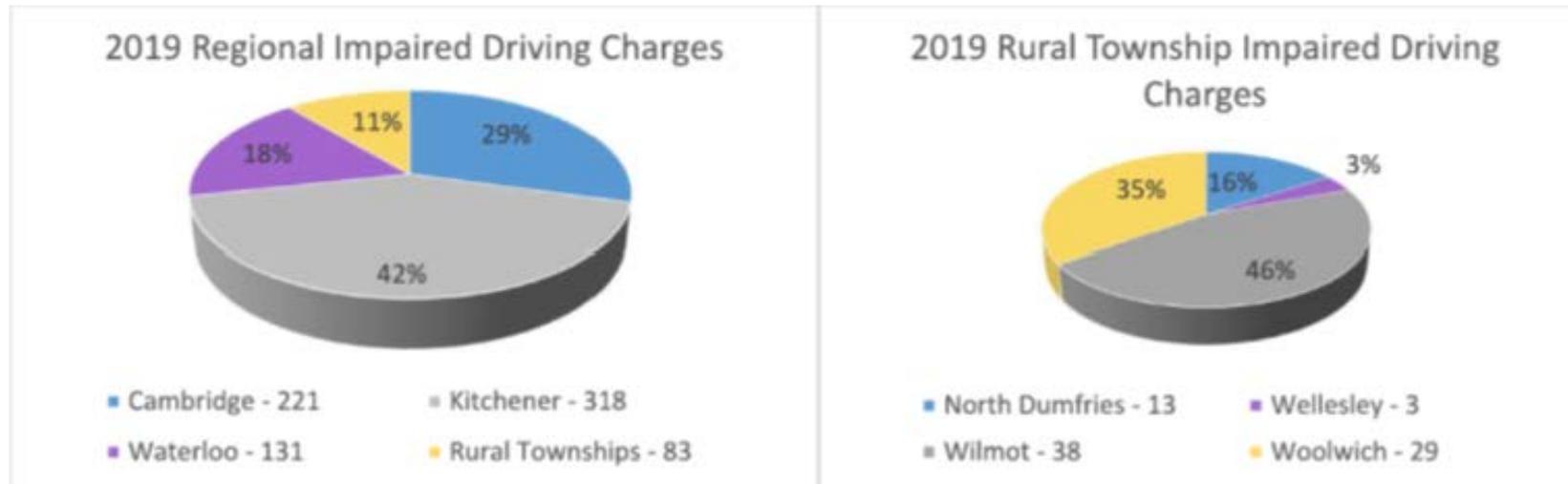
# Frequently Asked Questions:

**Q.** Drinking and driving is not as much of an issue in small Townships as it is in cities like Kitchener, so should not be treated the same.

**A.** Please see statistics on next page.



# Impaired Driving Statistics - WRPS



Population of Kitchener: 242,368

Impaired Driving Charges per capita: 0.0013

Population of Wilmot: 20,545: 0.0018

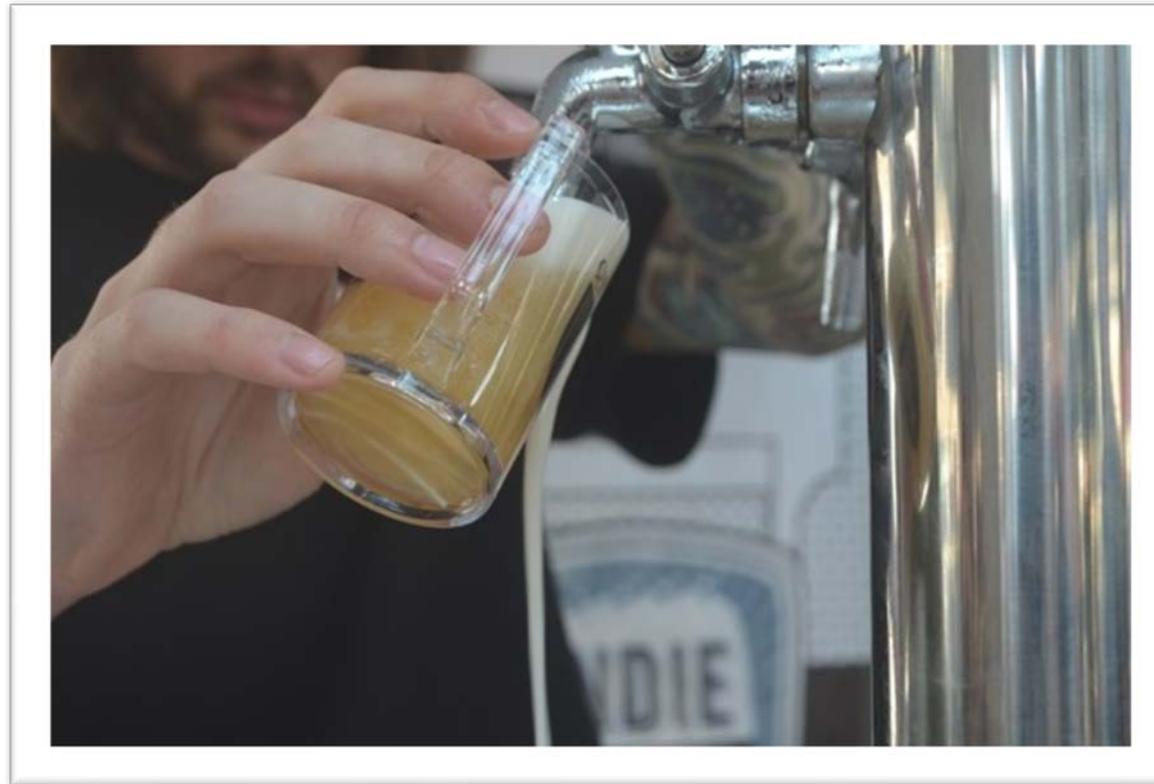
Wilmot has 138% of the impaired driving charges of Kitchener per capita



*Wilmot is a cohesive, vibrant and welcoming countryside community.*



# Summary and Q&A



*Wilmot is a cohesive, vibrant and welcoming countryside community.*

Page 153 of 168



**TOWNSHIP  
OF WILMOT**



# TOWNSHIP OF WILMOT

## INFORMATION AND LEGISLATIVE SERVICES *Staff Report*

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**REPORT NO:** ADDENDUM TO ILS 2020-27

**TO:** Council

**SUBMITTED BY:** Dawn Mittelholtz, Director Information and Legislative Services / Municipal Clerk

**PREPARED BY:** Dawn Mittelholtz, Director Information and Legislative Services / Municipal Clerk

**REVIEWED BY:** Grant Whittington, CAO

**DATE:** November 2, 2020

**SUBJECT:** Supplementary Agreement with Createscape Waterloo Region

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### **SUMMARY:**

Council deferred Report No. ILS 2020-27. The report is returning with the same recommendation. This addendum is to provide additional information from questions raised or comments made on October 5, 2020.

### **REPORT:**

Following the October 5, 2020 Council Meeting, staff connected with the Township solicitor and a representative from Createscape Waterloo Region. These discussions provided the information Council was requesting.

As the current Director of Information and Legislative Services was not privy to discussions on the Prime Ministers Path until being appointed to the position, there was certain information that was unknown until following up on the questions raised at the October 5, 2020 meeting.

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\*\*\*This information is available in accessible formats upon request\*\*\*

## Missing Portion of the Agreement

An earlier draft of the original Agreement with Createscape Waterloo Region has been located and confirmed with Mr. Bourgeois as being part of the negotiations with Createscape Waterloo Region for the original agreement. This portion of the draft agreement was written as follows, with the omitted portion from the signed agreement highlighted for ease of reference. The sections preceding and following the omitted portion has been included for context.

### A. Transfer of The PM Statues Project Assets

1. Createscape Waterloo Region (Createscape) hereby agrees to transfer ownership and title of the PM Statues and associated research, intellectual property and other assets to The Corporation of The Township of Wilmot (the Township) and the Township agrees to accept the Statues as follows:
  - a) in the case of the Sir John A. Macdonald 'A Canadian Conversation' statue created by Ruth Abernethy, and which is owned by Wilfrid Laurier University ("WLU"), Createscape shall support the Township in its request that WLU transfer the statue and related intellectual property to the Township on or before July 1, 2016,
  - b) in the case of the other PM Statues, upon completion of each statue and after the payment of any commission fees or similar charges payable by Createscape to the artist commissioned to create the statue and following confirmation of the location for the Statue.
2. The Township hereby agrees to accept the transfer of ownership and title of the statues and associated research, intellectual property and other assets as noted in clause 1. It is understood and agreed that the intention of the parties is that (i) Createscape shall transfer all of its interests in the PM Statues and associated research, intellectual property and other assets, and (ii) the Township will be able to use such interests as the sole owner and holder of such interests.

Mr. Bourgeois advised that, in 2016, he received the Original Agreement already signed by the Mayor and Clerk. At the time, he noticed the missing information but determined the intent of the Agreement remained and that the omission was more of a typographical error and he proceeded to sign the Agreement on behalf of Createscape Waterloo Region.

### Approval of Costs for the Storage of the Unfortunate Four

As was noted by staff in the meeting on October 5, 2020. No costs were approved by Council for the storage of the Unfortunate Four statues. The Resolution passed was:

THAT Council not accept Report No. ILS 2020-16; and

THAT staff be directed to immediately relocate the Sir John A. Macdonald statue to a rental storage facility.

The direction provided to staff in Resolution No. 2020-104 and the proposed endorsement of the Supplementary Agreement provides sufficient direction to staff for inclusion of the costs to store the Unfortunate Four as part of the overall budget for the Prime Ministers Path Consultation.

### **The Nature of the Educational Programs**

From a Township perspective, the “educational program” is a collection of resources available for people who wish to visit the Prime Ministers Path, which may include school groups. The resources available are in place to provide visitors with self-directed tours or visits, much like what is offered at similar attractions throughout the province that include history and/or art. These resources are not subject to any statutory requirements or Ministry of Education oversight. The educational value of the statues and the Prime Ministers Path as a whole is an entirely subjective opinion and not a legislated matter, regardless of the title prescribed to the project.

Further, the Agreement clearly states that the educational program (resources) are the responsibility of the municipality for development and ongoing operation. To develop the resources in-house would require additional resources at cost to the municipality. As the relationship with Nipissing University exists today, there are no costs for the municipality nor is the Township obligated to assume any of those costs.

With that being said, feedback received thus far, plus any additional feedback received during the Prime Ministers Path Consultations, should form the basis upon which the educational resources are presented and created, and it has been established that improvements are needed. Methods or structure that would evaluate or cause to evaluate the educational resources for the balanced historical perspective being requested may be included in the comments received during the Prime Ministers Path Consultations and ultimately form part of the recommendation for Council’s consideration. Examples of this could include, but is not limited to, ongoing consultations with Indigenous educators, ongoing consultations with any committee or group formed at the Region of Waterloo as a result of the Indigenous Reconciliation Action Plan, working with the Indigenous Worker at the Wilmot Family Resource Centre, and/or consulting with the Mississaugas of the Credit First Nation and other Indigenous communities. This is not an exhaustive list and the outcomes of the Prime Ministers Path Consultations are unknown, but is presented to illustrate that possibilities exist, if recommended and endorsed, that may improve the educational resources as the Township furthers its accountability to the Principles of the Truth and Reconciliation Commission and its Calls to Action.

Currently, the resources are available on the Township website. Any person who wishes to bring forward ideas to improve the balance in the information being shared are encouraged to contact the Township with their ideas or resources.



**REPORT NO:** ILS 2020-27

**TO:** Council

**SUBMITTED BY:** Dawn Mittelholtz, Director Information and Legislative Services / Municipal Clerk

**PREPARED BY:** Dawn Mittelholtz, Director Information and Legislative Services / Municipal Clerk

**REVIEWED BY:** Grant Whittington, CAO

**DATE:** October 5, 2020

**SUBJECT:** Supplementary Agreement with Createscape Waterloo Region

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**RECOMMENDATION:**

THAT the Mayor and Clerk be directed to execute the Supplementary Agreement with Createscape Waterloo Region.

**SUMMARY:**

The “pause” in the expansion or investment in the Prime Ministers Path required the Township to enter into discussions with Createscape Waterloo Region regarding a grouping of statues already commissioned and nearing completion. This supplementary agreement addresses the legal obligations of the Township and Createscape Waterloo Region concerning “The Unfortunate Four” statue grouping.

**REPORT:**

On July 27, 2020, Council endorsed a Notice of Motion that included direction to staff “to immediately pause any further investment and expansion of the Prime Ministers Path until a sufficient, thorough, respectful and transparent consultation process is completed with accountability that adheres to the calls to action set out in the Truth and Reconciliation

Commission of Canada's Principles of Reconciliation." Whereas the Notice of Motion included additional directions, for the purpose of this report, it is the "pause" direction staff is acting upon through this agreement.

The February 4, 2020 Council Meeting announced the Unfortunate Four statue grouping that was intended to come to the Prime Ministers Path and that an artist was commissioned to complete the works. An unveiling was planned for June 20, 2020 including a symposium series on the Prime Ministers. Due to the 2019 Novel Coronavirus pandemic these plans were delayed until a proper unveiling could be planned and executed.

As work was underway for the statues, Createscape Waterloo Region and the Township, with the assistance of the Township solicitor, entered into discussions on a fair and equitable supplemental agreement that upholds the tenets of the original agreement while reflecting the will of Council and not placing an undue burden on the artist or Createscape Waterloo Region.

By receiving ownership of the statues, the Township is upholding their legal obligation to Createscape Waterloo Region. By placing the statues in storage during the consultation process, the Township is following the July 27, 2020 Motion approved by Council, allowing the consultations to take place without additional promotion of the Prime Ministers Path, and directly reflects the following principles of Truth and Reconciliation<sup>1i</sup>:

3. Reconciliation is a process of healing of relationships that requires public truth sharing, apology, and commemoration that acknowledge and redress past harms.
4. Reconciliation requires constructive action on addressing the ongoing legacies of colonialism that have had destructive impacts on Aboriginal peoples' education, cultures and languages, health, child welfare, the administration of justice, and economic opportunities and prosperity.
6. All Canadians, as Treaty peoples, share responsibility for establishing and maintaining mutually respectful relationships.
9. Reconciliation requires political will, joint leadership, trust building, accountability, and transparency, as well as a substantial investment of resources.

The attached agreement, prepared by the Township solicitor, has been reviewed and agreed to by Createscape Waterloo Region.

### **ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:**

This report is part of the ongoing communication of municipal matters.

### **FINANCIAL CONSIDERATIONS:**

Legal fees associated with the preparation and review of this agreement will be incorporated within the 2021 Capital Budget for Prime Ministers Path Consultation. Subsequent to the

results of the current RFP for Consulting Services, a justification sheet and funding allocation will be included within the 2021 Municipal Budget process.

For the purposes of this report and financial and resource planning, staff is operating with unknown variables, including the continuation of the Prime Ministers Path and the installation of the Unfortunate Four following the consultations outlined in the July 27, 2020 Notice of Motion. Presuming the Unfortunate Four statues will be shipped to the Prime Ministers Path for installation at some point in 2021, transportation costs would be an additional \$400.00.

### **ATTACHMENTS:**

1. Supplemental Agreement with Createscape Waterloo Region

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<sup>i</sup> The Truth and Reconciliation Commission of Canada, *What We Have Learned: Principles of Truth and Reconciliation*, <http://www.trc.ca/assets/pdf/Principles%20of%20Truth%20and%20Reconciliation.pdf>

## SUPPLEMENTARY AGREEMENT

### BETWEEN:

#### **CREATESCAPE WATERLOO REGION,**

a corporation without share capital incorporated under the *Corporations Act* (Ontario)

(hereinafter “**Createscape**”)

and

#### **THE CORPORATION OF THE TOWNSHIP OF WILMOT,**

a municipal government established under the laws of Ontario

(hereinafter, the “**Township**”)

### RECITALS:

- 1) This agreement supplements the original agreement executed by the parties in May 2016 (the “**Original Agreement**”) and relates solely to the statues of Sir John Abbott, Sir John Thompson, Sir Mackenzie Bowell and Sir Charles Tupper (the “**Unfortunate Four Statues**”); and,
- 2) Further to section 5 of the Original Agreement, this agreement is being entered into to address specific details not provided for in the Original Agreement, as there are unique requirements for the Unfortunate Four Statues;

### NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

#### **A. Transfer of the Unfortunate Four Statues**

1. Notwithstanding any other provision of the Original Agreement, Createscape hereby agrees to transfer ownership and title of the Unfortunate Four Statues and associated research, intellectual property and other assets, to the Township and the Township agrees to accept the transfer of ownership and title of the Unfortunate Four Statues and associated research, intellectual property and other assets upon its completion by the artist (Nathan Scott), subject to the following conditions:
  - (a) once the Unfortunate Four Statues are delivered to the Township, the Township shall solely own all interests in the Unfortunate Four Statues and associated research, intellectual property and other assets associated with the Unfortunate Four Statues and the Township shall be entitled to use such interests as the sole owner and holder of such interests;
  - (b) Createscape agrees to, at its sole cost, deliver the Unfortunate Four Statues, upon their completion by the artist, to a location specified by the Township;
  - (c) if and when the Township decides to install the Unfortunate Four Statues at the Prime Ministers’ Path area in Baden, Ontario, at the Township’s sole and absolute discretion, Createscape agrees that it shall, at its sole cost, install the Unfortunate Four Statues in accordance with its proposal to the Township, subject to any changes requested by the Township; and,

(d) notwithstanding sections 1(b) and 1(c) of this supplementary agreement, if Createscape incurs costs for the delivery or installation of the Unfortunate Four Statues that it otherwise would not have incurred had it delivered them directly to the Prime Minister's Path area in Baden, Ontario instead of to a location specified by the Township and then, potentially, having to take the Unfortunate Four Statues from that location to the Prime Minister's Path area in Baden, Ontario, the Township agrees that it will be responsible for paying that limited differential in cost.

**B. General Provisions**

- 2. Time is of the essence for this supplementary agreement.
- 3. This supplementary agreement and any other documents and instruments given pursuant thereto shall enure to the benefit of and be binding upon the Parties and the respective heirs, executors, administrators, successors and permitted assigns, as the case may be.
- 4. The Parties shall from time to time execute and deliver all such other and further deeds, documents, instruments and assurances as may be necessary or required to carry into force and effect the purpose and intent of this supplementary agreement.

For: **The Corporation of the Township of Wilmot**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name/Title: Les Armstrong, Mayor

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name/Title: Dawn Mittelholtz, Director of Information and Legislative Services/Municipal Clerk

"We have authority to bind the Corporation."

For: **Createscape Waterloo Region**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_

"I have the authority to bind Createscape."



KIM COURTS  
DEPUTY CLERK  
T 519.837.2600 x 2930  
F 519.837.1909  
E kimc@wellington.ca

74 WOOLWICH STREET  
GUELPH, ONTARIO  
N1H 3T9

October 2, 2020

Sent via email to all Ontario Municipal Clerks

Dear Municipal Clerks,

At its meeting held September 24, 2020, Wellington County Council approved the following recommendation from the Administration, Finance and Human Resources Committee:

**WHEREAS previous assessment methodologies for aggregate resource properties valued areas that were used for aggregate resources or gravel pits at industrial land rates on a per acre basis of the total site and such properties were formally classified and taxed as industrial lands; and**

**WHEREAS Wellington County Council supports a fair and equitable assessment system for all aggregate resource properties; and**

**WHEREAS the Municipal Property Assessment Corporation determined, with the participation only of the Ontario Stone, Sand and Gravel Association, revised criteria for assessing aggregate resource properties; and**

**WHEREAS Wellington County Council has concerns that the revised criteria does not fairly assess the current value of the aggregate resource properties.**

**NOW THEREFORE BE IT RESOLVED:**

**(a) That Wellington County Council does not consider the revised criteria for assessment of aggregate resource properties as a fair method of valuation for these properties; and**

**(b) That Wellington County Council believes there is a need to review the current assessment scheme for aggregate resource properties to address the inequity of property values; and**

**(c) That Wellington County Council hereby calls upon the Province to work with the Municipal Property Assessment Corporation to address the assessment issue so that aggregate resource properties are assessed for their industrial value; and**

**(d) That Wellington County Council direct the Clerk to provide a copy of this motion to the Ministers of Finance; Municipal Affairs and Housing; and Natural Resources and Forestry; and to AMO, ROMA, and all Ontario municipalities and local MPP(s).**

Please find the Aggregate Resource Property Valuation and Advocacy report and Municipal Resolution enclosed.

Wellington County Council is requesting that all Ontario municipalities adopt the Municipal Resolution and forward to Donna Bryce, Wellington County Clerk at [donnab@wellington.ca](mailto:donnab@wellington.ca) upon passing.

Should you have any questions please contact Ken DeHart, County Treasurer, at [kend@wellington.ca](mailto:kend@wellington.ca) or call 519.837.2600 ext 2920.

Sincerely,

A handwritten signature in black ink that reads "Kim Courts". The signature is written in a cursive style and is underlined with a single horizontal line.

Kim Courts  
Deputy Clerk



# COUNTY OF WELLINGTON

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## COMMITTEE REPORT

**To:** Chair and Members of the Administration, Finance and Human Resources Committee  
**From:** Ken DeHart, County Treasurer  
**Date:** Tuesday, September 15, 2020  
**Subject:** **Aggregate Resource Property Valuation and Advocacy Report**

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### **Background:**

Through the County's Assessment Base Management Policy and Programme approved in 2016; Wellington County has made significant efforts to maintain, protect and enhance the quality of the assessment roll. This includes reviewing the accuracy of individual assessments and ensuring the equitable distribution of the tax burden. The County remains a strong advocate for the accurate and equitable valuation and property tax treatment of all properties, including gravel pit and aggregate resource properties in the County and throughout Ontario.

The County has been actively pursuing fair and accurate assessment valuations for gravel pits through two streams:

1. Assessment appeals heard by the Assessment Review Board
2. Advocacy through the province on a permanent policy solution

### **Assessment Appeals**

The County has filed assessment appeals on all aggregate producing properties in its three southern-most municipalities, being Puslinch, Erin and Guelph/Eramosa for the 2017 to 2020 taxation years. The purpose of these appeals is to ensure that the current value assessment of these properties is captured through the existing legislation, and to deal with how those properties are classified for taxation purposes.

The effect of the current property tax valuation structure by the Municipal Property Assessment Corporation ("MPAC") unfairly sees active gravel pits incurring less property tax than many single-family homes and small businesses as a result of unduly low and inaccurate current value assessments. It also leads to properties that are located in the same areas and are similar to gravel pits receiving vastly different property valuations, which contradicts the principle of fairness and transparency underpinning our taxation system that similar properties should be treated and taxed equally. Arbitrarily classifying gravel pits as among the lowest form of farmland (Class 5) sets an artificial cap on these producers' property assessments and keeps their property taxes well below what they should be paying. In turn, residents and businesses are subsidizing the break that gravel producers are receiving.

In terms of next steps for these appeals, a settlement conference is scheduled to take place on September 16 and hearings are scheduled for the weeks of November 16 and 23.

### **Advocacy for a Permanent Policy Solution**

The County has been working with its colleagues through the Top Aggregate Producing Municipalities of Ontario (TAPMO) to raise awareness of the assessments and the inequitable treatment of these properties and ask the government to review how these properties are assessed and treated from a property tax policy perspective through the MPAC review that is currently taking place.

Through this work, TAPMO endorsed the attached municipal resolution to be shared with TAPMO municipalities for consideration at local Councils. The resolution formally asks the province to review how these properties are assessed in light of the inequitable treatment in comparison to other residential and business properties in the municipality. Several municipalities across the province have approved and forwarded this resolution to the province and local MPPs.

To be clear, the County believes MPAC's property valuation is incorrect even within the current legislation, however, the County is looking for further direction and possible legislative or regulatory changes that will eliminate future disputes. This kind of permanent policy change is in everyone's best interest to resolve this issue once and for all.

Staff recommend that the Administration, Finance and Human Resources Committee support the resolution and pass it along to County Council for approval. This is also an opportunity for the County to remind its member municipalities to review and give consideration to this resolution as well.

### **AMO Delegation Meeting**

On August 18, 2020, in collaboration with the Top Aggregate Producing Municipalities of Ontario (TAPMO), County representatives met with Stan Cho, Parliamentary Assistant to the Minister of Finance, to discuss the need to improve how aggregate properties are assessed across Ontario under an equitable valuation system. The meeting was held during the Association of Municipalities of Ontario (AMO) conference. This is where municipal and provincial policymakers come together to discuss pressing issues facing both levels of government.

Wellington County and other TAPMO members presented several policy-driven solutions to Mr. Cho that would make MPAC's property tax valuations accurate and equitable. There are many possible legislative, regulatory or policy changes that can achieve a permanent solution. These include:

- Creating a separate class for aggregate producing properties (as was done for landfills in 2015);
- Directive (or regulation) from the Minister to MPAC regarding how to assess these types of properties to reflect their true market or industrial value;
- Remove the aggregate exemption from the *Assessment Act* (as was the situation prior to 2008).

This would enable municipalities to maintain stability in local taxation levels and meet the needs of their communities. Directing MPAC on how to assess these properties based on their true market value makes common sense and will result in stability and accuracy in the assessment process. The solution to remove the exemption of aggregate in the *Assessment Act* would allow MPAC to assess the full value of the property.

## Summary

Aggregate sites are important job creators and an increasingly critical element of public works that help to fuel steady economic growth across Ontario, especially as part of municipalities' post-pandemic recovery. Yet, under the current MPAC valuation formula, their current value assessment is inaccurate such that these sites generate significantly less revenue for municipalities and the Province than other possible uses for the same land. This costs Ontario municipalities millions of dollars in lost tax revenue every year and negatively impacts their abilities to deliver more fulsome services and programmes to residents. The current system also generates less Education property taxes which shifts even more tax burden onto homeowners and small businesses. Municipalities are therefore eager to find a solution that is fair for all involved: the municipality, taxpayers, and aggregate producers.

COVID-19 has highlighted the urgency for a policy-driven, equitable approach. Municipalities across Ontario are fighting to continue providing a high standard of services to our families and businesses who need them now more than ever. The lost tax revenue undermines our ability to enhance those services and make key infrastructure investments at a time when our residents are suffering. The County wants to be fair to aggregate producers while recognizing that they should be part of the solution in terms of helping families and businesses get back on their feet – the very people who are carrying the burden of the current MPAC system.

## Recommendation:

That the Aggregate Resource Property Valuation and Advocacy Update Report be received for information; and

That the attached resolution be supported by County Council and sent to the Ministry of Finance.

Respectfully submitted,



Ken DeHart, CPA, CGA  
County Treasurer

## SCHEDULE A – MUNICIPAL RESOLUTION

WHEREAS previous assessment methodologies for aggregate resource properties valued areas that were used for aggregate resources or gravel pits at industrial land rates on a per acre basis of the total site and such properties were formally classified and taxed as industrial lands; and

WHEREAS Wellington County Council supports a fair and equitable assessment system for all aggregate resource properties; and

WHEREAS the Municipal Property Assessment Corporation determined, with the participation only of the Ontario Stone, Sand and Gravel Association, revised criteria for assessing aggregate resource properties; and

WHEREAS Wellington County Council has concerns that the revised criteria does not fairly assess the current value of the aggregate resource properties;

NOW THEREFORE BE IT RESOLVED:

- (a) That Wellington County Council does not consider the revised criteria for assessment of aggregate resource properties as a fair method of valuation for these properties; and
- (b) That Wellington County Council believes there is a need to review the current assessment scheme for aggregate resource properties to address the inequity of property values; and
- (c) That Wellington County Council hereby calls upon the Province to work with the Municipal Property Assessment Corporation to address the assessment issue so that aggregate resource properties are assessed for their industrial value; and
- (d) That Wellington County Council direct the Clerk to provide a copy of this motion to the Ministers of Finance; Municipal Affairs and Housing; and Natural Resources and Forestry; and to AMO, ROMA, and all Ontario municipalities and local MPP(s).

**THE CORPORATION OF THE TOWNSHIP OF WILMOT  
BY-LAW NO. 2020-37**

**BY-LAW TO AUTHORIZE THE EXECUTION OF A SUPPLEMENTAL  
AGREEMENT WITH CREATESCAPE WATERLOO REGION**

**WHEREAS** the Municipal Council of the Corporation of the Township of Wilmot is desirous of entering into an Agreement, which forms Schedule "A" to this By-law.

**THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF  
THE TOWNSHIP OF WILMOT ENACTS AS FOLLOWS:**

1. That the Agreement which forms Schedule "A" to this By-law is hereby accepted as approved.
  
2. That the Mayor and Clerk are hereby authorized to execute under seal the said Agreement and all other documents and papers relating to this transaction.

**READ** a first and second time this 2<sup>nd</sup> day of November, 2020.

**READ** a third time and finally passed in Open Council this 2<sup>nd</sup> day of November, 2020.

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**Mayor**

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**Clerk**